

**EXHIBIT “L”**

<sup>1</sup>  **ORIGINAL**

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
ANAND DASRATH,

PLAINTIFF,

-against-

CASE NO. CV-07-2433

ROSS UNIVERSITY SCHOOL OF MEDICINE,

DEFENDANT.  
-----X

DATE: September 30, 2010

TIME: 9:55 a.m.

EXAMINATION BEFORE TRIAL of the  
Plaintiff, ANAND DASRATH, taken by the  
Defendant, pursuant to an Order, held at the  
offices of Cullen & Dkyman, Esqs., 177  
Montague Street, Brooklyn, New York, before a  
Notary Public of the State of New York.

AM/PM ATTENDANCE FEE... 90.00  
 SHIPPING & HDLG... 9.00  
 ORIG. & 2 COPIES & CONDENSED ENCL.  
 THANK YOU.

Subtotal	1,335.75
Sales Tax	
Total Invoice Amount	\$1,335.75
Payment/Credit Applied	
TOTAL DUE	\$1,335.75

1

2

A P P E A R A N C E S:

3

4

COSTELLO & COSTELLO, ESQS.

Attorneys for Plaintiff

5

5919 20th Avenue

6

BY:

Brooklyn, New York 11204

JOSEPH R. COSTELLO, ESQ.

7

8

CULLEN & DYKMAN, ESQS.

Attorneys for the Defendant

9

177 Montague Street

10

BY:

Brooklyn, New York 11201

JENNIFER McLAUGHLIN, ESQ.

11

File No. 11001-11

12

\*

\*

\*

13

14

15

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

F E D E R A L S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND  
AGREED by and between the counsel for the  
respective parties hereto, that the filing,  
sealing, and certification of the within  
deposition shall be and the same are hereby  
waived;

IT IS FURTHER STIPULATED AND  
AGREED that all objections, except as to the  
form of the question, shall be reserved to  
the times of the trial.

IT IS FURTHER STIPULATED AND  
AGREED that the within deposition may be  
signed before any Notary Public with the same  
force and effect as if signed and sworn to  
before this court.

\* \* \* \*

1

2           A N A N D       D A S R A T H , called as a  
3           witness, having been first duly sworn by a  
4           Notary Public of the State of New York, was  
5           examined and testified as follows:

6           EXAMINATION BY

7           MS. McLAUGHLIN:

8                   Q.       Please state your name for the  
9           record.

10                  A.       Anand Dasrath.

11                  Q.       Where do you reside?

12                  A.       89-25 20th Street, Queens  
13           Village, New York 11427.

14                  Q.       Good morning, Mr. Dasrath.

15                  A.       Good morning.

16                  Q.       Nice to finally speak. We met  
17           over the years. My name is Jennifer  
18           McLaughlin, as you know I'm from Cullen &  
19           Dykman. We represent Ross University in a  
20           lawsuit against them.

21                           Have you ever been deposed  
22           before?

23                  A.       No.

24                  Q.       Just to set some ground rules,  
25           the court reporter cannot record us speaking

1 A. DASRATH

2 at the same time so if you would, let me  
3 finish my question and then you can answer  
4 that will probably be most helpful.

5 I'm going to ask you a series  
6 of questions about the remaining claims in  
7 your lawsuit against the University.

8 If you do not understand my  
9 question, please ask me to repeat it.

10 If at any time you need a  
11 break, please let your lawyer know.

12 The only time you cannot take a  
13 break is if a question is pending.

14 Do you understand all of that?

15 A. Yes.

16 Q. You told us where you currently  
17 live.

18 Are you currently employed?

19 A. Yes.

20 Q. Where are you employed?

21 A. Stonybrook University Medical  
22 Center.

23 Q. What is your position or  
24 title?

25 A. Teaching pharmacist.

1 A. DASRATH

2 Q. How long have you been at that  
3 position?

4 A. Four years.

5 Q. So, you started in 2006?

6 A. Yes.

7 Q. And you continually maintained  
8 that employment since 2006?

9 A. Yes.

10 Q. I'm going to skip back to where  
11 you were born.

12 A. In Guyana.

13 Q. Are you a United States  
14 citizen?

15 A. Yes.

16 Q. When did you come to the United  
17 States?

18 A. 1977.

19 Q. Were you working at that time  
20 or a student?

21 A. I think I came and I studied  
22 here.

23 Q. Where did you study?

24 A. St. John's University.

25 Q. What were you studying at that



1 A. DASRATH

2 time?

3 A. Pharmacy.

4 Q. How many years did you spend at  
5 St. John's University?

6 A. Four years.

7 Q. Did you receive an  
8 undergraduate degree there?

9 A. Yes.

10 Q. Was it a bachelor of arts?

11 A. Bachelor of pharmacy.

12 Q. Bachelor of pharmacy?

13 A. Yes.

14 Q. When did you graduate?

15 A. 1983.

16 Q. At graduation, were you  
17 employed or still taking classes?

18 A. No, I was employed at Kings  
19 County Hospital.

20 Q. And what was your title  
21 there?

22 A. It progressed. The last title  
23 was senior associates pharmacist level C.

24 Q. How long were you at Kings  
25 County Hospital from 1983 to when, if you

1 A. DASRATH

2 recall?

3 A. Maybe 2003. Sometime around  
4 there. I'm not sure. Sometime after the  
5 year 2000.

6 Q. Was it in or around the time  
7 that you were accepted to Ross University?

8 A. No, I went to the New York  
9 Hospital of Cornell Medical Center.

10 Q. What did you do there?

11 A. I was a senior pharmacist  
12 there.

13 Q. Why did you leave Kings County  
14 Hospital?

15 A. It was better pay at New York  
16 Hospital.

17 Q. During the time you were  
18 employed by Kings County Hospital and New  
19 York Hospital, were you taking classes  
20 anywhere?

21 A. Yes.

22 Q. Where was that?

23 A. Long Island University School  
24 of Graduate Pharmacy.

25 Q. Is that a graduate course you

1 A. DASRATH

2 were taking?

3 A. Yes.

4 Q. Did you receive a degree from  
5 Long Island University?

6 A. Yes.

7 Q. What degree?

8 A. I have two degrees.

9 Pharmacology and toxicology.

10 Q. Approximately, what years did  
11 you attend Long Island University?

12 A. It must be late '80s and I  
13 think I graduated in 1990.

14 Q. 1990?

15 A. Yeah.

16 Q. Did you have any further  
17 education after Long Island University?

18 A. Yes. I did York College City  
19 University.

20 Q. What years did you attend York  
21 College City University?

22 A. Sometime I think in the late  
23 '90s. I'm not sure of the year.

24 Q. Did you receive a degree from  
25 York College?

1 A. DASRATH

2 A. Yes.

3 Q. What degree was that?

4 A. Chemistry.

5 Q. Was it a masters?

6 A. No, that was a bachelor of  
7 science.

8 Q. So, you have a bachelor's of  
9 science and a masters, I guess in  
10 pharmacology and toxicology?

11 A. A double masters.

12 Q. And your undergraduate degree  
13 is from St. John's University?

14 A. Yes.

15 Q. You worked at New York Hospital  
16 until approximately 2003, you said?

17 A. 2004.

18 Q. What was the reason for you  
19 leaving your employment at New York  
20 Hospital?

21 A. I went to Ross University  
22 School of Medicine.

23 Q. The schools that you attended  
24 that we just discussed, were you ever put on  
25 academic probation for any reason?

1 A. DASRATH

2 A. No.

3 Q. Were you ever suspended?

4 A. No.

5 Q. One other rule, you have to  
6 speak your answers. Otherwise he won't know  
7 what you are saying. Hand gestures and nods  
8 are not helpful, but it is common that people  
9 do that.

10 A. Okay.

11 Q. Were you ever withdrawn from  
12 any of those schools that we just discussed?

13 A. No.

14 Q. So, there came a time I  
15 presumed that you applied to Ross  
16 University?

17 A. Yes.

18 Q. What was your goal in applying  
19 to Ross University? What were you looking to  
20 become?

21 A. A medical doctor.

22 Q. When did you apply to Ross?

23 A. I believe it was 2003.

24 Q. Do you know if it was the  
25 spring or the fall?

1 A. DASRATH

2 A. To the best of my recollection,  
3 I think it was spring.

4 Q. At some point you had to  
5 submit, I assume documents to Ross for your  
6 admissions?

7 A. Yes.

8 Q. What was involved in that, if  
9 you can remember?

10 A. An application form and a  
11 college transcript.

12 Q. Were there any other documents  
13 that you forwarded to Ross in connection with  
14 your application?

15 A. I don't recall any. It could  
16 be more, but I just don't recall.

17 Q. That's fine. Did you have any  
18 conversations with anyone at Ross in or  
19 around the time that you were applying  
20 there?

21 A. I don't recall it right now.

22 Q. Were you applying to other  
23 schools or only Ross?

24 A. Only Ross.

25 Q. Why did you choose Ross?

1 A. DASRATH

2 A. I just saw an advertisement and  
3 card and there was a poster with card and I  
4 filled out the card and sent it in, dropped  
5 it in the mailbox.

6 Q. After submitting your  
7 application, was there a time that you  
8 received an acceptance letter?

9 A. Yes.

10 Q. Do you recall when that was?

11 A. I don't recall specifically,  
12 but I would suspect sometime in the spring  
13 2003. I don't recall the date.

14 MS. McLAUGHLIN: We will mark  
15 this document as an exhibit.

16 (Whereupon, the aforementioned  
17 document was marked as Defendant's  
18 Exhibit A for identification, as of  
19 this date, by the Reporter.)

20 Q. I'm going to ask you to take  
21 take look at this exhibit that has been  
22 marked as Defendant's Exhibit A.

23 It is dated April 17th, 2003  
24 and it is on Ross University letterhead.

25 A. Yes.

1 A. DASRATH

2 Q. Would you mind reviewing that  
3 document.

4 A. Yes, I reviewed it.

5 Q. Do you recall seeing that  
6 document before today?

7 A. Yes.

8 Q. Do you recall seeing it in or  
9 around April of 2003?

10 A. Yes.

11 Q. Was this the acceptance letter  
12 that you received from Ross?

13 A. Yes.

14 Q. Did you attend courses at Ross  
15 starting in May 2003?

16 A. No.

17 Q. Why not?

18 A. There was a death in the family  
19 and my starting school was delayed.

20 Q. When was it delayed to?

21 A. May 2004.

22 Q. Did you make a request to the  
23 school to delay the start date?

24 A. Yes.

25 Q. Was that request in writing, if



1 A. DASRATH

2 you recall?

3 A. Yes.

4 Q. Were there more than one  
5 request to delay your start date?

6 A. I don't recall.

7 Q. Did you officially start in May  
8 of 2004?

9 A. Yes.

10 Q. In May 2004, you were enrolled  
11 at Ross University; is that correct?

12 A. Yes.

13 Q. Where were you taking  
14 classes?

15 A. At Ross University, School of  
16 Medicine in Dominica.

17 Q. Did you move to Dominica at  
18 that point in May of 2004?

19 A. Yes.

20 Q. Were you housed in student  
21 housing or somewhere else?

22 A. Student housing.

23 Q. In May of 2004, do you recall  
24 what curriculum you were enrolled in?

25 A. The medical school program.

1 A. DASRATH

2 Q. Was it the basic science at  
3 that point?

4 A. Yes.

5 Q. What does the basic science  
6 entail, if you recall?

7 A. I didn't hear your question.

8 Q. What does the basic science  
9 segment portion of the curriculum entail?

10 A. It entails the theorhetical  
11 part of medicine.

12 Q. So, you were required to take  
13 courses concerning theory?

14 A. Yes.

15 Q. How many credits were you  
16 required to take in your first semester, if  
17 you recall?

18 A. About fifteen credits.

19 Q. And how many semesters did the  
20 basic science segments portion of your  
21 curriculum last?

22 A. Four.

23 Q. During that time I presume you  
24 took certain courses, let's start with the  
25 first semester.

1 A. DASRATH

2 Do you recall what courses you  
3 took?

4 A. Yes. One of them was  
5 biochemistry. I think it is referred to as  
6 medical biochemistry. One is medical  
7 genetics. One is histology, I think it is  
8 called cryo anatomy or mental development  
9 anatomy.

10 You will be better off calling  
11 it medical histology. And one was patient  
12 doctrine society.

13 Q. And those classes, was that the  
14 last class that you recall taking?

15 A. Yes.

16 Q. Those classes started in the  
17 semester starting May 2004?

18 A. Yes.

19 Q. How long was that semester?

20 A. I think it runs to the  
21 beginning of August.

22 Q. And at some point I presume you  
23 took and received, I'm sorry, you took exams  
24 in these courses; is that correct?

25 A. Yes.

1 A. DASRATH

2 Q. Did you ever have any issues  
3 concerning your grades on those exams in the  
4 first semester?

5 A. Yes.

6 Q. Do you recall what those issues  
7 were?

8 A. At the end of the semester I  
9 was issued a final grade in genetics as a B  
10 plus.

11 Q. What was the problem with that  
12 grade?

13 A. When I went back to the  
14 Dominica campus, they took away the B plus  
15 and give me an F.

16 Q. So, you were issued a final  
17 grade in genetics of B plus.

18 How were you issued that grade?

19 A. In the transcript.

20 Q. So, you have a grade reflecting  
21 a B plus in genetics?

22 A. Yes.

23 Q. Do you have a copy of that  
24 transcript?

25 A. Yes.

1 A. DASRATH

2 MS. McLAUGHLIN: I haven't  
3 already requested it, I'm not sure if I  
4 have, but I request for the record a  
5 copy of that transcript.

6 A. I have supplied it to you.

7 Q. I might have it here. If we  
8 haven't received it --

9 MR. COSTELLO: Okay.

10 Q. You said when you returned to  
11 the Dominica campus, it was changed to an  
12 F.

13 Can you explain the  
14 circumstances of the changed grade?

15 A. No particular explanation, they  
16 just took it away.

17 Q. And how was it taken away?

18 A. It was removed from the  
19 transcript.

20 Q. When did you receive the  
21 transcript reflecting a B plus and let me see  
22 if I have it?

23 A. At the end of the semester. I  
24 believe it was early August.

25 MS. McLAUGHLIN: Can you mark

1 A. DASRATH

2 this, please.

3 (Whereupon, the aforementioned  
4 copy of transcript was marked as  
5 Defendant's Exhibit B for  
6 identification, as of this date, by the  
7 Reporter.)

8 Q. I'm going to ask you to take a  
9 look at what has been marked as Defendant's  
10 Exhibit B. It is on Ross University  
11 letterhead and it is dated July 12th, 2006.

12 Have you ever seen this  
13 document before?

14 A. Yes.

15 Q. What is this document?

16 A. It's a transcript of the  
17 grades, I scored from my first semester in  
18 Ross University Medical School.

19 Q. Is this a transcript that you  
20 would regularly receive when your grades were  
21 in?

22 A. Yes.

23 Q. How did you receive this  
24 transcript, if you recall?

25 A. I believe by mail.

1 A. DASRATH

2 Q. On this transcript list, the  
3 courses that we just discussed earlier that  
4 you took in that semester; is that correct?

5 A. Yes.

6 Q. Can you, I guess, refer to me,  
7 or explain to me which grade which you allege  
8 was changed?

9 A. Genetics grade.

10 Q. So, it is genetics letter  
11 grade, if I'm correct, it says B plus; am I  
12 correct?

13 A. Yes.

14 Q. What is the item above the  
15 genetic adjusted grade sixty, what does that  
16 mean?

17 A. That is their scores that they  
18 give out.

19 Q. That's related to a certain  
20 exam or an average?

21 A. I don't know how they come up  
22 with their numbers, but we follow with  
23 different grades received.

24 MR. COSTELLO: This sounds like  
25 this would be something left for Ross

1 A. DASRATH

2 as far as the grade policy.

3 MS. McLAUGHLIN: I'm just  
4 asking to his knowledge if he received  
5 a sixty in some other portion of the  
6 class, whether it be an exam or some  
7 sort of average of test scores.

8 A. I don't know where this came  
9 from.

10 Q. Underneath that it says the  
11 grades on this page are unofficial and for  
12 reference only.

13 At any time did you receive an  
14 official transcript of your grades?

15 A. Yes, I received another  
16 transcript stating that I failed the genetics  
17 course.

18 Q. And do you have a copy of that  
19 transcript?

20 MR. COSTELLO: With him  
21 today?

22 MS. McLAUGHLIN: At home,  
23 anywhere.

24 Q. Do you maintain a copy of that  
25 transcript?



1 A. DASRATH

2 A. I will look around if you  
3 want.

4 Q. That is great.

5 MS. McLAUGHLIN: I will put a  
6 request on the record and I will  
7 follow-up in writing.

8 MR. COSTELLO: I was going to  
9 ask if you don't mind following up.  
10 Thank you.

11 Q. You said you believe on that  
12 official transcript this grade was then shown  
13 as an F; is that correct?

14 A. Yes.

15 Q. And the other grades, were they  
16 the same as reflected on this unofficial  
17 report?

18 A. Yes.

19 Q. Did you have a discussion with  
20 anyone concerning the alleged change from B  
21 plus to F in the genetics course?

22 A. I tried, but nobody would  
23 listen.

24 Q. Who did you try to speak  
25 with?

1 A. DASRATH

2 A. I tried to speak with the  
3 assistant dean that was there. Dr.  
4 Houghton.

5 Q. How do you spell that?

6 A. I think it is spelled  
7 H-O-U-G-H-T-O-N.

8 Q. How did you speak to him?

9 A. I went to her.

10 Q. I'm sorry.

11 A. I went to her office.

12 Q. When was that?

13 A. That would either be late  
14 August of 2004 or early September. That was  
15 the beginning of my second semester.

16 Q. Just to go back. This is an  
17 unofficial transcript that you said you were  
18 probably provided by them.

19 How long between the unofficial  
20 transcript and the official transcript did  
21 you generally receive them from Ross?

22 A. Within a week, two weeks.

23 Q. So, at some point you were sent  
24 an unofficial transcript and then they  
25 followed up with an official transcript, is

1 A. DASRATH

2 that how it works?

3 A. I don't recall exactly, but  
4 there comes a time where you receive another  
5 transcript.

6 Q. When you went to Ms. Houghton's  
7 office was she there, did you have a  
8 discussion with her?

9 A. She wouldn't listen. They  
10 don't listen.

11 Q. What did you say to her?

12 A. I showed her this transcript, I  
13 showed her the second transcript, but they  
14 just laugh in your face.

15 Q. Did she laugh in your face at  
16 that time?

17 A. Yes.

18 Q. Did she say anything else  
19 besides laughter?

20 A. She said nothing she can do  
21 about it.

22 Q. Did you speak to anyone else  
23 about the genetics grade change from B plus  
24 to F?

25 A. Yes, I spoke to the person in

1 A. DASRATH

2 charge of the genetics department.

3 Q. And who is that?

4 A. I don't remember his name right  
5 now, but if I remember I'll tell you.

6 Q. And is he also located at  
7 Dominica?

8 A. Yes.

9 Q. What did you speak to him  
10 about?

11 A. I told him they changed my  
12 grade.

13 Q. And what was his response?

14 A. He looked at this transcript  
15 and the next transcript and said he didn't  
16 assign an F.

17 Q. Who was your professor in that  
18 class?

19 A. I'm trying to remember his  
20 name. I don't remember his name right now.

21 Q. Did you ever speak to that  
22 professor about your grade?

23 A. Of course.

24 Q. And that wasn't Ms. Houghton or  
25 this gentleman that you referred to; is that

1 A. DASRATH

2 correct?

3 A. That is the gentleman.

4 Q. That is the gentleman?

5 A. Yes.

6 Q. He said he did not assign an

7 F.

8 Was that the end of the  
9 conversation or did he say anything else?

10 A. That is as much as I remember  
11 right now. More has probably been said, but  
12 specifically stated he did not give me an F  
13 in the genetics course.

14 Q. Was there any written  
15 communication besides your conversations that  
16 you spoke of at Ross concerning this grade?  
17 Either an e-mail or a letter?

18 A. I don't recall.

19 Q. After you spoke to the  
20 professor, did you speak to anyone else  
21 besides Ms. Houghton who we already talked  
22 about?

23 A. I tried to speak to other  
24 people, but nobody would listen.

25 Q. Who were the other people that

1 A. DASRATH

2 you tried to speak to?

3 A. Dr. Grill.

4 Q. Who is Dr. Grill?

5 A. Dr. Grill at the time was one  
6 of the assistant deans.

7 Q. Did you speak to him in person  
8 or over the phone?

9 A. In person.

10 Q. What did you say to him?

11 A. I told him to change my grade  
12 from a B plus to an F.

13 Q. And what was his response?

14 A. He said he can't do anything  
15 either.

16 Q. Was that the end of your  
17 conversation or was there more discussed?

18 A. I also went to the head of the  
19 biochemistry department.

20 Q. Who was that?

21 A. Dr. Meisenberg.

22 Q. Was this considered a  
23 biochemistry course the genetics class?

24 A. It comes under the biochemistry  
25 department.

1 A. DASRATH

2 Q. What did Dr. Meisenberg say to  
3 you?

4 A. He said I was very sorry and we  
5 proceeded walking to the examination center  
6 of Ross University.

7 Q. What is the examination  
8 center?

9 A. That is where the exams are  
10 prepared, that is where they are marked,  
11 graded. That is where the transcript sheets  
12 are kept.

13 Q. What did you do at the  
14 examination center with Dr. Meisenberg?

15 A. I went to speak with Dr.  
16 Desalu, the person in charge with the  
17 examination center.

18 Q. What did you say to Dr. Desalu?

19 A. Dr. Meisenberg started speaking  
20 to him that there seems to be a problem with  
21 my grade. He told Dr. Meisenberg that he  
22 doesn't follow their procedures.

23 Q. Does Dr. Desalu, to your  
24 knowledge, grade the examinations?

25 A. I don't know who grades their

1 A. DASRATH

2 exams, but I believe the transcript sheets  
3 are taken to that office.

4 Q. This genetics course that you  
5 took, I don't know how medical school works  
6 so I don't know how many exams are typically  
7 given in a course.

8 Is there a mid-term and a final  
9 or is there more than that?

10 A. Sometimes there are more.

11 Q. In this course, do you recall  
12 how many exams there were?

13 A. I don't recall how many exams  
14 specifically.

15 Q. Was it more than two?

16 A. I don't think more than two.

17 Q. Is there a final exam?

18 A. Usually there is a mid-term and  
19 a final.

20 Q. Do you recall for this class if  
21 there was a final exam?

22 A. Yes, there was a final exam.

23 Q. And do you recall what your  
24 score was or grade was on that final exam?

25 A. We don't know our scores or



1 A. DASRATH

2 grade.

3 Q. When you were in the  
4 examination center with Dr. Meisenberg and  
5 Dr. Desalu, did you go over your grade or  
6 scores in that class?

7 A. No.

8 Q. After he said he did not follow  
9 their procedure, what did Dr. Meisenberg  
10 say?

11 A. He seemed a little bit  
12 astonished. I don't recall what he said.

13 Q. Was that the end of the  
14 conversation or was there more discussed?

15 A. Dr. Desalu told us to go away.

16 Q. Do you know what percentage of  
17 your genetic grade consisted of the final  
18 exam?

19 A. I don't recall at this time.

20 Q. At any time were you able to  
21 review your grade or your scores on the exams  
22 in that course?

23 A. No, I was never able to.

24 Q. Was there ever a clinical  
25 portion of that class or it was all written

1 A. DASRATH

2 exams?

3 A. All written exams. Multiple  
4 choice.

5 Q. So, your grade in that class  
6 was based solely on multiple choice exams  
7 that you were given?

8 A. Yes.

9 Q. After your meeting with Dr.  
10 Desalu and Dr. Meisenberg, what happened  
11 next?

12 A. I had to repeat the course.

13 Q. How did you find out that you  
14 had to repeat the course?

15 A. I probably spoke to somebody.  
16 I don't recall exactly, but I had to repeat  
17 it.

18 Q. Was that the general procedure  
19 when you failed a class at Ross to repeat the  
20 course?

21 A. Yes.

22 Q. When did the course end  
23 again? Was that August of 2004?

24 A. Yes.

25 Q. When did you repeat that

1 A. DASRATH

2 course?

3 A. In September, the fall of  
4 2004.

5 Q. Other than the conversations we  
6 discussed with the various doctors at the  
7 University, did you ever file a grievance or  
8 any other complaint concerning the grade in  
9 the genetics course in your first semester?

10 A. To my knowledge, they don't  
11 listen to any grievance.

12 Q. But, did you file one?

13 A. There is no way of filing a  
14 grievance.

15 Q. Did you discuss a grievance  
16 with anyone other than the people we  
17 discussed?

18 A. These are the people that I'm  
19 supposed to discuss.

20 Q. After your conversations with  
21 Dr. Desalu, were there any more conversations  
22 about your failing grade that you recall with  
23 anybody else?

24 A. I don't recall.

25 Q. Did you retake the course in

1 A. DASRATH

2 the fall of 2004 and pass the course?

3 A. Yes.

4 Q. Who was your professor, was it  
5 the same professor?

6 A. The same professor.

7 Q. You don't remember his name; is  
8 that right?

9 A. I don't remember his name.

10 Q. When did that semester end?

11 A. In December of 2004.

12 Q. What other classes were you  
13 taking during the fall of 2004 semester? Is  
14 that semester number two?

15 A. Yes.

16 Q. What other classes were you  
17 taking?

18 A. I took histology and  
19 doctor-patient society.

20 Q. Only two classes besides the  
21 genetics class?

22 A. Yes.

23 Q. Did you have any concerns about  
24 your grades in those courses?

25 A. No.

1 A. DASRATH

2 Q. Did you pass those classes?

3 A. Yes.

4 Q. You said you passed the  
5 genetics class as well?

6 A. Yes.

7 Q. So, that semester ended in  
8 December of 2004?

9 A. Yes.

10 Q. Was there a break between  
11 semesters?

12 A. A very short break. Maybe a  
13 week, two weeks.

14 Q. When do you start semester  
15 number three?

16 A. In January of 2005.

17 Q. So, other than the issue  
18 concerning your genetics grade, were there  
19 any other issues concerning the grade for the  
20 first two semesters?

21 A. Not that I recall.

22 Q. Did you have any other issues  
23 in general with Ross University during the  
24 first two semesters?

25 A. Not that I recall.

1 A. DASRATH

2 Q. So, you start January 2005  
3 third semester; is that correct?

4 A. Yes.

5 Q. And you are still in the basic  
6 science segment of the curriculum?

7 A. Yes.

8 Q. So, these are all theory  
9 courses?

10 A. Yes.

11 Q. What courses are you taking in  
12 January of 2005?

13 A. Neuro science, gross anatomy  
14 and physiology.

15 Q. That semester starting in  
16 January of 2005, do you recall when it  
17 concluded?

18 A. I believe in April of 2005.  
19 Maybe late April.

20 Q. Did you pass the classes neuro  
21 science, gross anatomy and physiology?

22 A. Yes.

23 Q. Did you have any issues  
24 concerning your grades in those classes?

25 A. Yes.

1 A. DASRATH

2 Q. What issues did you have?

3 A. In the gross anatomy, my grade  
4 wasn't calculated properly. It turned out to  
5 be a letter grade lower than the calculated  
6 grade.

7 Q. How did you come to learn that  
8 your letter grade was not calculated  
9 properly, and it was in gross anatomy; is  
10 that correct?

11 A. Yes.

12 Q. How did you come to learn that  
13 it was not calculated properly?

14 A. I spoke to Dr. Martin, the head  
15 of the gross anatomy department.

16 Q. What was your grade?

17 A. C.

18 Q. How did you receive that grade?

19 A. By a transcript mailed to me.

20 Q. Do you remember when you  
21 received that transcript?

22 A. I believe in late April. Late  
23 April or May.

24 Q. Do you have a copy of that  
25 transcript that you received in late April?

1 A. DASRATH

2 A. I'm pretty much sure I have it  
3 somewhere. I might not have it right now on  
4 me.

5 MS. McLAUGHLIN: We will put a  
6 request on the record and follow it up  
7 in writing.

8 Q. I just want to go back. I'm  
9 sorry for jumping around. I know Defendant's  
10 Exhibit B, this is the unofficial  
11 transcript. It is dated July 2006, but it  
12 refers to the 2004 semester.

13 Were you mailed this for the  
14 first time in July of 2006?

15 A. I was definitely not mailed in  
16 July 2006. This may have been a second  
17 copy.

18 Q. Did you request another copy of  
19 it in July of 2006?

20 A. I don't recall.

21 Q. So, we don't know that this is  
22 what you received back in 2004?

23 A. It's exactly this, except for  
24 that date.

25 Q. Except for that date?



1 A. DASRATH

2 A. Yes.

3 Q. So, you received a transcript  
4 and you saw that your gross anatomy grade was  
5 C?

6 A. Yes.

7 Q. Who did you discuss your grade  
8 with?

9 A. Dr. Martin.

10 Q. Dr. Martin?

11 A. Yes.

12 Q. And what did you say to him?

13 A. I told him my grade was not  
14 correct.

15 Q. Why did you believe it wasn't  
16 correct?

17 A. Because I knew how the points  
18 were allocated and it didn't amount to what  
19 the B was -- what the C was supposed to be.

20 Q. How were the points allocated  
21 in the gross anatomy course?

22 A. I don't recall it right now.

23 Q. Are you graded on a point  
24 system? When you say points were allocated,  
25 was there some sort of point system?

1 A. DASRATH

2 A. Percentage based on tests.

3 Q. Do you remember how many tests  
4 you took in the gross anatomy course?

5 A. I don't remember how many  
6 tests.

7 Q. Was there a final exam?

8 A. Yes.

9 Q. How much is the final exam  
10 worth as far as percentage?

11 A. I do not recall now.

12 Q. Do you recall what any of your  
13 exam scores were in the gross anatomy class?

14 A. I recall one in particular.

15 Q. And what was that score?

16 A. That score was one hundred  
17 percent.

18 Q. And what was that score on?

19 A. That score was on problem ased  
20 learning.

21 Q. Is that an exam?

22 A. It has oral tests like exam,  
23 but it's actually, you gather around the  
24 table, a small group gathering where at the  
25 end of class a professor allocates a

1 A. DASRATH

2 percentage score.

3 Q. So, you received one hundred  
4 percent on the problem based learning aspect  
5 of the course?

6 A. Yes.

7 Q. Do you recall what any of your  
8 scores were on any exams administered in the  
9 gross anatomy course?

10 A. No, not the other parts of the  
11 course. I don't recall other parts.

12 Q. At the time, did you know your  
13 scores?

14 A. At the time, yes, I knew my  
15 scores.

16 Q. So, you didn't believe that  
17 your scores coupled with this score in the  
18 problem based learning portion of the exam  
19 should have been reflected as a C?

20 A. That's correct.

21 Q. What did you believe it should  
22 have been reflected as?

23 A. A B.

24 Q. What did Dr. Martin do or say  
25 about that?

1 A. DASRATH

2 A. We discussed it and in the end  
3 he told me to get the F off.

4 Q. You are saying that he used the  
5 four letter word?

6 A. Yes.

7 Q. And that was the end of your  
8 conversation?

9 A. With Dr. Martin.

10 Q. Did you speak with anyone else  
11 concerning your grade in the gross anatomy  
12 course?

13 A. Yes.

14 Q. Who else?

15 A. Dr. Marvin Reviere.

16 Q. Who is Dr. Reviere?

17 A. He is the professor that  
18 conducted the problem based learning segment  
19 of the gross anatomy course.

20 Q. Did you have an oral  
21 conversation with him or written?

22 A. Oral conversation with Dr.  
23 Reviere.

24 Q. In person or on the phone?

25 A. In person, in his office.

1 A. DASRATH

2 Q. What did you say to him?

3 A. I told him my gross anatomy  
4 grade was a C and I told him that Dr. Martin  
5 refused to incorporate the points he gave me,  
6 one hundred percent in his portion into the  
7 calculation.

8 Q. So, you believed that the one  
9 hundred percent was not even reflected in the  
10 C grade?

11 A. It wasn't added.

12 Q. How do now that?

13 A. Dr. Martin told me that.

14 Q. Did he tell you that in that  
15 conversation we just discussed?

16 A. Yes.

17 Q. Did he tell you anything else  
18 in that conversation?

19 A. Yes.

20 Q. What else?

21 A. He told me he didn't believe I  
22 scored a hundred percent.

23 Q. Is Dr. Martin in charge of  
24 compiling the grade for that course?

25 A. Yes.

1 A. DASRATH

2 Q. And how did you know you  
3 received one hundred percent on that  
4 portion?

5 A. Dr. Reviere told me.

6 Q. Do you have a copy of that  
7 score?

8 A. He showed me his grade book.

9 Q. But, were you given anything  
10 prior to that time showing that you received  
11 one hundred percent in that portion of the  
12 class?

13 A. No.

14 Q. So, how did you know before  
15 seeing Dr. Martin that you received one  
16 hundred percent on that portion?

17 A. He told us at the end, the last  
18 day of that meeting.

19 Q. The last day of?

20 A. That meeting, the PBL, the  
21 problem based learning meeting.

22 Q. He told all the students or  
23 just you?

24 A. All the students. Each  
25 individual student.

1 A. DASRATH

2 Q. And you don't know what  
3 percentage the one hundred percent counted  
4 toward your final grade?

5 A. Yes, I do know.

6 Q. What was it?

7 A. That was five percent.

8 Q. You don't recall your grades on  
9 any exams in that class; is that correct?

10 A. I don't recall other grades,  
11 but this one in particular I recall.

12 Q. And Dr. Reviere, after showing  
13 you the score in the grade books, did you  
14 have any further conversation with him about  
15 your grades?

16 A. He told me personal things  
17 like, I should not try to complain or, you  
18 know, not to, they call it don't rock the  
19 boat or they abuse the students more.

20 Q. What did you say to him after  
21 he explained that to you?

22 A. I don't recall any other  
23 details.

24 Q. Did you have any further  
25 conversations about this grade with anybody

1 A. DASRATH

2 else?

3 A. I don't recall.

4 Q. Did you file any formal letter  
5 or grievance with the school concerning this  
6 grade?

7 A. Yes.

8 Q. What was that filing that you  
9 made?

10 A. I filed a complaint with my  
11 student advisor.

12 Q. Who is your student advisor?

13 A. Anthony Almeida.

14 Q. What is a student advisor, is  
15 that a faculty member?

16 A. A faculty member.

17 Q. Was he your student advisor  
18 from the beginning of your education at  
19 Ross?

20 A. Yes.

21 Q. So, it doesn't rotate, it's the  
22 same person throughout your career there?

23 A. I don't recall knowing that he  
24 was my student advisor in the beginning.

25 But, after this problem again, after the



1 A. DASRATH

2 grade I asked around and people directed me  
3 to him.

4 MR. COSTELLO: It would be fair  
5 to say he was a student advisor from  
6 the time he was there because he didn't  
7 complete the studies at Ross.

8 Q. Right, from the time you were  
9 there I meant to say, during your education  
10 at Ross, was he your student advisor?

11 You didn't know him at the  
12 beginning, I think you are saying and some  
13 point you found out about him?

14 A. Yes.

15 Q. And when you found out about  
16 him, you contacted him concerning the gross  
17 anatomy grade?

18 A. Yes.

19 Q. What did you say to him?

20 A. I spoke to him in person while  
21 he was there and we also had e-mail. We sent  
22 e-mails to each other.

23 MS. McLAUGHLIN: I'm going to  
24 mark two documents.

25 (Whereupon, the aforementioned

1 A. DASRATH

2 two e-mails were marked as Defendant's  
3 Exhibits C and D for identification, as  
4 of this date, by the Reporter.)

5 Q. We have just marked Defendant's  
6 Exhibits C and D which appears to be two  
7 e-mails. Exhibit C is dated June 27th,  
8 2005. The second Exhibit D is dated July  
9 11th, 2005.

10 I'm going to ask you to take a  
11 look at Exhibits C and D. Those are the two  
12 marked exhibits.

13 A. Yes, I read the two exhibits.

14 Q. Do you recall seeing these  
15 documents before today?

16 A. Yes.

17 Q. Do you know when you first saw  
18 them?

19 A. In 2005.

20 Q. You discussed having e-mail  
21 exchanges with Dr. Almeida?

22 A. Yes.

23 Q. Are these the e-mail exchanges  
24 that you are referring to?

25 A. Yes.

1 A. DASRATH

2 Q. Do you recall if there were any  
3 other e-mail exchanges that you had with him?

4 A. I don't recall any other  
5 ones.

6 Q. Are these the only records that  
7 you have of e-mail exchanges with Dr.  
8 Almeida?

9 A. To my knowledge, yes.

10 Q. Prior to the e-mail exchange  
11 you had a conversation with Dr. Almeida about  
12 your gross anatomy grades?

13 A. Yes.

14 Q. What did you say to him?

15 A. I told him that Dr. Martin  
16 wasn't incorporating the one hundred percent  
17 I scored in the problem based learning part  
18 of the anatomy course.

19 Q. What did he say to you in  
20 response?

21 A. He said he will try to  
22 accomplish that.

23 Q. The first e-mail marked Exhibit  
24 C, appears to state from Dr. Almeida, Dear  
25 Mr. Dasrath, I tried to contact Deans

1 A. DASRATH

2 Houghton and White a number of times and  
3 didn't succeed. We spoke about Dean  
4 Houghton.

5 Who is Dean White?

6 A. She is also, at the time she  
7 was also an assistant dean of Ross University  
8 School of Medicine.

9 Q. Had you had a conversation with  
10 her prior to discussing this with Dr.  
11 Almeida?

12 A. They didn't speak to me. They  
13 would usually ask what are you here for. I  
14 would tell them I'm here to discuss a problem  
15 and they would say go away.

16 Q. So, you did approach Dr. White  
17 concerning your grade in gross anatomy?

18 A. With no useful conversation.  
19 They lead you to the door and they ask you to  
20 leave. You knock on the door and they ask  
21 you to leave.

22 Q. You had no conversation, but  
23 you did approach her door?

24 A. Yes.

25 Q. Do you know if Dr. Almeida was

1 A. DASRATH

2 ever successful in discussing your grade with  
3 Deans Houghton and White?

4 A. According to these exhibits he  
5 tried and failed.

6 Q. The next exhibit which is  
7 marked Exhibit D, the July 2005 e-mail, talks  
8 about results of your mini two exam.

9 What was that?

10 A. I think that is like a  
11 mid-term.

12 Q. What class was that in?

13 A. That must have been the other  
14 classes that I was doing at the time in  
15 Ross.

16 Q. So, the gross anatomy course  
17 ended in April of 2005 and you started the  
18 May semester presumably right after that?

19 A. Yes.

20 Q. And you were taken other exams  
21 during the summer -- I'm sorry, other  
22 courses during the summer?

23 A. Yes.

24 Q. Was that semester four or some  
25 other semester, a makeup course?

1 A. DASRATH

2 A. No, that is the regular  
3 semester.

4 Q. Do you recall what courses you  
5 were taking during the summer?

6 A. Yes. I think I was taking  
7 pathology one, pharmacology one and  
8 microbiology and immunology.

9 Q. Were you taking pathology  
10 also?

11 A. Pathology one.

12 Q. Were you taking behavioral  
13 science?

14 A. Yes.

15 Q. And the mini two exam had to do  
16 with the courses you were taking in semester  
17 four?

18 A. Yes.

19 Q. He also refers to Dr. Houghton  
20 regarding your incorrect grade in anatomy.  
21 If a student's grades changes upward by a  
22 letter from a B to an A then the change will  
23 be made, but not otherwise.

24 This because in this way the  
25 final report will not carry any penalties so

1 A. DASRATH

2 changing it will not serve any purposes.

3 Was your grade changed in that  
4 course?

5 A. No.

6 Q. Did you understand what Mr.  
7 Almeida was explaining in this e-mail?

8 A. Yes. He was trying to tell me  
9 to stay quiet so I won't be penalized any  
10 more.

11 Q. How would they penalize you  
12 more?

13 A. They might reduce the grade  
14 more or fail me.

15 Q. Did you see him after receiving  
16 this e-mail?

17 A. Yes.

18 Q. And what did you discuss during  
19 that e-mail?

20 A. He told me just stay quiet.  
21 You are an old student here. They could get  
22 rid of you any time.

23 Q. So, your grade in the gross  
24 anatomy course remained a C as far as you  
25 know?

1 A. DASRATH

2 A. Yes.

3 Q. Did you have any other  
4 discussion besides doctor -- besides with  
5 Dr. Almeida on the gross anatomy grade?

6 Was there anyone else that we  
7 have forgotten?

8 A. I don't recall.

9 Q. During the time you were  
10 discussing with Dr. Almeida your gross  
11 anatomy grade, you were taking four classes  
12 that summer 2005?

13 A. Yes.

14 Q. Did you have any issues  
15 concerning your grade in those classes?

16 A. Yes.

17 Q. Which class?

18 A. Pathology one.

19 Q. What was your grade in that  
20 course?

21 A. The final grade was a C.

22 Q. What did you believe it should  
23 be?

24 A. I believe it should have been a  
25 B also.



1 A. DASRATH

2 Q. Why is that?

3 A. That grade also I scored one  
4 hundred percent in one of the mid-terms.  
5 They withheld that grade when it was supposed  
6 to be given in August of 2005. And refused  
7 to give me the one hundred percent I scored  
8 in the mid-term exam.

9 Q. So, in August of 2005, you  
10 expected to receive your grade in pathology  
11 one class?

12 A. Yes.

13 Q. Did you receive a transcript at  
14 all?

15 A. Yes.

16 Q. Let me just back up.

17 Is the transcript the only way  
18 you receive grades or are they posted in some  
19 other way in these courses?

20 A. The transcript.

21 Q. In other words, when I went to  
22 college, you could look at a wall and they  
23 would post the grades?

24 A. Or some people do it by  
25 e-mail. I don't recall seeing posted grades

1 A. DASRATH

2 on the wall.

3 Q. And there is no way to access  
4 it electronically or otherwise?

5 A. I don't recall that.

6 Q. So, the first time you found  
7 out about your grade in pathology was in  
8 August of 2005?

9 A. Yes, pathology one.

10 Q. Pathology one, I'm sorry.  
11 What did you find out in August  
12 of 2005?

13 A. I received grades for the other  
14 three courses, but not pathology one.

15 Q. Did you call someone or talk to  
16 someone about this?

17 A. Yes.

18 Q. What was discussed? I'm  
19 sorry, who did you speak to?

20 A. Dr. Desalu.

21 Q. And Dr. Desalu, if you  
22 remember, was in charge of the grading center  
23 at the school; is that correct?

24 A. Yes.

25 Q. What did you say to Dr. Desalu?

1 A. DASRATH

2 A. I told him I didn't get my  
3 pathology one grade.

4 Q. You had your transcript mailed  
5 to you and you did not see a grade there?

6 A. Yes.

7 Q. What was there, if anything?

8 A. I don't recall. Maybe blank or  
9 something else. I don't recall what was  
10 there.

11 MS. McLAUGHLIN: Mark this  
12 document.

13 (Whereupon, the aforementioned  
14 transcript was marked as Defendant's  
15 Exhibit E for identification, as of  
16 this date, by the Reporter.)

17 Q. I ask you to take a look at  
18 what has been marked as Defendant's Exhibit  
19 E. It is hard to read because it is a copy.

20 It has your name on it and it  
21 is dated January 11th, 2006, 1/11/2006. It  
22 appears to be a transcript, but I will have  
23 you review it and explain to me what you  
24 understand it to mean.

25 A. Do you want me to just speak

1 A. DASRATH

2 about pathology one?

3 Q. What is this?

4 A. This is a transcript of my  
5 courses I did and the grades that I received.

6 Q. The date on the transcript, is  
7 that the date that you received it in or  
8 around that time?

9 A. I don't recall exactly when I  
10 received it, but I do see a date here that  
11 says 1/11/2006.

12 Q. In that document sixty percent  
13 of the way down it talks about pathology  
14 one?

15 A. Yes.

16 Q. Is that the course that we were  
17 just discussing, that same course?

18 A. Yes.

19 Q. It says grade I?

20 A. Yes.

21 Q. Was that what you saw on your  
22 transcript when you received it in August of  
23 2005?

24 A. Yes.

25 Q. What does I mean?

1 A. DASRATH

2 A. Incomplete.

3 Q. Did you find out from Dr.

4 Desalu when you approached him about this

5 marking as to why the course was marked

6 incomplete?

7 A. Yes.

8 Q. What did he tell you?

9 A. He told me he did not issue a  
10 grade because they were concerned about me  
11 scoring a hundred percent in the pathology  
12 one mid-term exam.

13 Q. Do you recall the component of  
14 this class. You remember there was a  
15 mid-term.

16 What other exams were there?

17 A. A final.

18 Q. And that was it?

19 A. A lab exam.

20 Q. A lab exam?

21 A. Yes.

22 Q. Do you know what you received  
23 on the final exam?

24 A. No.

25 Q. Did you ask at that time?

1 A. DASRATH

2 A. I asked why I didn't get a  
3 grade. He told me they were concerned that I  
4 scored one hundred percent in the pathology  
5 mid-term.

6 Q. Did you understand what his  
7 concern was?

8 A. His concern was he does not  
9 believe I scored one hundred percent.

10 Q. Who was the professor for  
11 pathology one?

12 A. I'm not sure. I think his name  
13 was -- I don't remember his name.

14 Q. Is it the professor that scores  
15 the exam or is it Dr. Desalu?

16 A. Dr. Desalu.

17 Q. So, he scores all exams for the  
18 medical school?

19 A. Yes.

20 Q. The professor administering the  
21 class does not do the grading?

22 A. Not to my knowledge, except in  
23 some parts, like problem based learning.

24 Q. After he told you he was  
25 concerned, where your one hundred percent on

1 A. DASRATH

2 the mid-term and that he didn't believe you  
3 to have received that, what was your  
4 response?

5 A. I was very disappointed.

6 Q. So, you took all required exams  
7 in this course?

8 A. Yes.

9 Q. And you met all requirements of  
10 pathology one?

11 A. Yes.

12 Q. And you received an incomplete,  
13 is that correct?

14 A. Yes.

15 Q. Was that grade ever, the  
16 incomplete ever changed to any other score?

17 A. Yes.

18 Q. When was that?

19 A. In December of 2005.

20 Q. What was it changed to?

21 A. C.

22 Q. So, from an incomplete to a C?

23 A. Yes.

24 Q. Do you know why?

25 A. I believe they felt like giving

1 A. DASRATH

2 me a C so they gave me a C.

3 Q. Did you retake the class?

4 A. No.

5 Q. Did you have any discussions  
6 after Dr. Desalu's meeting about your  
7 incomplete score?

8 A. There was no one to talk to.

9 Q. Did you file any sort of  
10 grievance or letter with the school  
11 concerning your grade other than your  
12 conversation with Dr. Desalu?

13 A. No. I was warned by Dr.  
14 Almeida to stay quiet.

15 Q. Did you talk to Dr. Almeida  
16 about this grade?

17 A. Yes.

18 Q. What did Dr. Almeida tell you  
19 about this?

20 A. He told me to be careful. They  
21 might kick me out by the time I get to  
22 Miami.

23 Q. When did you first notice that  
24 the grade was changed from an I to a C?

25 A. In December of 2005.



1 A. DASRATH

2 Q. Did you have to do anything in  
3 order to effectuate that change or it  
4 happened all of a sudden?

5 A. It happened by itself.

6 Q. You didn't have to complete any  
7 more course work?

8 A. No.

9 Q. The only reason to your  
10 knowledge it was marked incomplete was  
11 because of your score on the mid-term exam?

12 A. Yes.

13 Q. There were no other reasons  
14 told to you?

15 A. No other reason was told to  
16 me.

17 Q. This is semester four that you  
18 took pathology one, is that correct?

19 A. Yes.

20 Q. And did you have any issues  
21 with your other grades in those courses?

22 A. This was semester four, but it  
23 was the second to last semester.

24 Q. You're right, I'm sorry. This  
25 is semester four in the basic science

1 A. DASRATH

2 curriculum?

3 A. Semester three runs into  
4 semester four because remember I had to  
5 repeat the genetics.

6 Q. Did you have any other issues  
7 besides your pathology one grade during that  
8 semester?

9 A. Not that I recall.

10 Q. In this semester concluded in  
11 the summer of 2005, around August I  
12 presume?

13 A. Yes.

14 Q. At some point you received a  
15 final transcript?

16 A. Yes.

17 Q. Do you recall when classes  
18 ended that semester?

19 A. To the best of my recollection,  
20 maybe like the middle of August.

21 Q. When did you receive your final  
22 grade for that semester, semester four?

23 A. Sometime late August or early  
24 September.

25 Q. The only way you recall

1 A. DASRATH

2 receiving your grades was through a  
3 transcript mailed to you?

4 A. Yes.

5 Q. Did you request your grade  
6 prior to receiving the transcript?

7 A. They do it automatically.

8 Q. So, you didn't need to request  
9 them prior to receiving the transcript?

10 A. If you need to request you can  
11 also request.

12 Q. But, if you request it prior to  
13 the official transcript being received all of  
14 the grades might not be available at that  
15 time; am I correct?

16 A. The grades are available very  
17 shortly after the exam.

18 Q. You started presumably  
19 September of 2005.

20 A. Right.

21 Q. The fifth semester?

22 A. It should be the fourth  
23 semester, but it is the fifth semester for  
24 me.

25 Q. So, that's the last semester of

1 A. DASRATH

2 basic science?

3 A. Yes.

4 Q. What did you take that semester  
5 and since we have this marked, I will show  
6 you, if it helps, Defendant's Exhibit E?

7 A. I took pharmacology two,  
8 introduction to clinical medicine, pathology  
9 two, microbiology and immunology two.

10 Q. Did you have any concerns about  
11 the grades issued in those courses?

12 A. Yes.

13 Q. Which courses, if any?

14 A. Introduction to clinical  
15 medicine.

16 Q. And your concern about that  
17 grade?

18 A. An I was issued instead of a  
19 regular grade.

20 Q. During the time that you were  
21 completing your courses for the fifth  
22 semester, did you have any issues concerning  
23 your grade on the exams prior to receiving  
24 the incomplete?

25 A. No, nothing I can remember

1 A. DASRATH

2 about.

3 Q. And at some point you received  
4 your transcript for the fifth semester?

5 A. Yes.

6 Q. At that point was that the  
7 first time that you learned about the  
8 incomplete?

9 A. Yes.

10 Q. Did you approach anyone about  
11 the incomplete in the clinical medicine, is  
12 it?

13 A. Yes.

14 Q. Who did you approach?

15 A. I don't recall approaching  
16 anybody. I came off the island. I finished  
17 all the basic science courses.

18 Q. So, that is after your fifth  
19 semester. You would leave Dominica and come  
20 back to the United States, is that correct?

21 A. Yes.

22 Q. So, you already left after your  
23 final exam?

24 A. After the grade were issued. I  
25 did the final exams, but I came after the

1 A. DASRATH

2 final -- I came back home after the final  
3 exams.

4 Q. And that was sometime in August  
5 of 2005?

6 A. No, December of 2005.

7 Q. I'm sorry. And then you  
8 received your transcript at some point?

9 A. Yes.

10 Q. And you noticed the incomplete  
11 marking?

12 A. Yes.

13 Q. Did you call anyone concerning  
14 it?

15 A. I don't recall. I don't recall  
16 exactly what I did. It just bothered me a  
17 lot again. They had already warned me to  
18 stay quiet.

19 Q. Did you talk to anyone  
20 concerning the incomplete grade at any time?

21 A. I don't recall.

22 Q. When were you due to return for  
23 the sixth semester? Is it called sixth  
24 semester?

25 A. It's called fifth semester. In

1 A. DASRATH

2 January of 2006.

3 Q. You were home here in New York  
4 between December and January?

5 A. For about a week.

6 Q. Just a week?

7 A. A week or two.

8 Q. And during that time that you  
9 were home, did you have any conversation with  
10 anyone at Ross University concerning any of  
11 your grades?

12 A. I don't recall.

13 Q. And then you returned to  
14 Dominica in January of 2006?

15 A. No, I went to Miami.

16 Q. What were you reporting there  
17 for?

18 A. The AICM program.

19 Q. What is the AICM program?

20 A. The advanced introduction to  
21 clinical medicine.

22 Q. The other courses that you  
23 described in your first basic science  
24 curriculum you say were?

25 A. Yes.

1 A. DASRATH

2 Q. How did the AICM course  
3 differ?

4 A. It was similar to the other  
5 courses.

6 Q. Did you have one professor or  
7 more than one?

8 A. Several professors.

9 Q. When you reported in January of  
10 2006, who was the professor at the time?

11 A. One of them was Dr. Enrique  
12 Fernandez. One was Dr. Pete Gutterrez. One  
13 was Dr. Vivian Guttery. And there were a  
14 number of visiting professors. I don't  
15 recall their names.

16 Q. And was the course given at the  
17 school's location in Miami or in the  
18 hospital?

19 A. At the school's location.

20 Q. Was the course one semester  
21 only?

22 A. Yes.

23 Q. Did you take on any other  
24 courses at the same time?

25 A. There is only one course.



1 A. DASRATH

2 Q. What happened at that time with  
3 your incomplete with the pathology one  
4 course?

5 A. It was changed from an  
6 incomplete to a C.

7 Q. Before you started the AICM  
8 class?

9 A. Right around then. I don't  
10 recall the exact date.

11 Q. How did you find out it was  
12 changed to a C?

13 A. I received a transcript.

14 Q. The AICM course that you were  
15 taking, do you remember what your grades were  
16 based on?

17 A. It was based --

18 MR. COSTELLO: For the AICM?

19 Q. For the AICM.

20 A. Test.

21 Q. Test only or was there a  
22 practical portion of the course?

23 A. On many things. Plastic  
24 things that looks like human.

25 Q. You had taken the exams for the

1 A. DASRATH

2 AICM course?

3 A. Yes.

4 Q. Did you recall how many exams  
5 you had taken?

6 A. I recall five exams.

7 Q. And those were written exams?

8 A. Yeah.

9 Q. Scan trons only or all essay?

10 A. Scan trons.

11 Q. So, you had five scan tron  
12 exams?

13 A. Yes.

14 Q. Do you recall any essay  
15 exams? Any essay portion of the exams?

16 A. I don't recall essays.

17 Q. Then you said you would work on  
18 plastic bodies, did you say?

19 A. Yes.

20 Q. What part of the course was  
21 that? Was that the practical part of the  
22 course?

23 A. If you want to call it  
24 practical, yes, we worked on plastic bodies.

25 Q. How often did you do that?

1 A. DASRATH

2 A. We did that several times. I  
3 don't recall the number of times.

4 Q. And you were graded on that?

5 A. I don't recall.

6 Q. Do you know what your grade in  
7 the AICM course was comprised of?

8 A. I don't recall specifically how  
9 it was allocated.

10 Q. You don't know how the exams  
11 were allocated percentage-wise?

12 A. I don't know. I don't recall.

13 Q. Was one of the five exams a  
14 final exam?

15 A. I think they are all final  
16 exams because each one is for a different  
17 certification test.

18 Q. So, each exam related to a  
19 different certification?

20 A. Yes.

21 Q. Do you recall the five  
22 different certifications?

23 A. One of them was for the  
24 National Board of Medical Exam. One was from  
25 the American Heart Association. I think two

1 A. DASRATH

2 of them were from the American Heart  
3 Association. One of them was for family  
4 abuse.

5 And then there was a fifth  
6 one. I don't recall what it was called. I  
7 do have the certification. The  
8 certification papers I can look up.

9 Q. When you took these exams, you  
10 would receive a certification if you passed  
11 the exam?

12 A. Yeah.

13 Q. And you received all five  
14 certifications?

15 A. Yeah.

16 Q. Was there anything else your  
17 grade was based on besides the fifth  
18 certification exams?

19 A. I'm not sure.

20 Q. Was there a clinical portion of  
21 the class?

22 A. I don't believe the clinical,  
23 there were some hospital visitation, but I  
24 don't believe they were worth points. Not to  
25 my knowledge.

1 A. DASRATH

2 Q. How often did you do the  
3 hospital visitation?

4 A. A few times.

5 Q. More than once?

6 A. Yeah.

7 Q. More than ten?

8 A. I don't think so. Maybe three,  
9 four.

10 Q. What did you do during hospital  
11 visitation?

12 A. You visit and watch what the  
13 doctors were doing. They just walk you  
14 around.

15 Q. That was separate from working  
16 on the plastic body?

17 A. Yes.

18 Q. Working on the plastic body,  
19 was that graded?

20 A. It was part of a certification  
21 exam, but I don't know how they  
22 incorporated. I do not know that.

23 Q. You took five exams at separate  
24 times during the semester?

25 A. Yes.

1 A. DASRATH

2 Q. So, they weren't all given at  
3 once?

4 A. No.

5 Q. Was there a final exam after  
6 the certification?

7 A. There was a final exam.

8 Q. Do you know which one it was?

9 A. I believe it was the national.  
10 It may have been -- I'm not sure.

11 Q. Do you recall when the last day  
12 of class was?

13 A. April 7th, 2006.

14 Q. When did you receive your final  
15 grade in that course, the AICM course?

16 A. In August the 14th, 2006.

17 Q. What was that grade?

18 A. F.

19 MS. McLAUGHLIN: Off the  
20 record.

21 (Whereupon, a short recess was  
22 taken.)

23 MS. McLAUGHLIN: Back on the  
24 record.

25 Q. When you received your

1 A. DASRATH

2 transcript in August of 2006, was that the  
3 first time that you learned of your failing  
4 grade in your AICM course?

5 A. That is the first time I  
6 learned official grade failing the AICM  
7 course.

8 Q. What do you mean official?

9 A. It was in the transcript.

10 Q. Did you learn of the failing  
11 grade unofficially?

12 A. There was conversation -- yes,  
13 unofficially, yeah.

14 Q. How did you learn of your  
15 failing grade in the AICM course?

16 A. At first I managed to sign onto  
17 one of Dr. Fernandez' web sites.

18 Q. Had you ever accessed your  
19 grade prior to this time by the web site  
20 provided by Ross?

21 A. No.

22 Q. This was the first time you  
23 accessed your grade via a web site, correct?

24 A. Yes.

25 Q. Do you recall when that was?

1 A. DASRATH

2 A. That may have been late April  
3 2006.

4 Q. What was the name of the web  
5 site, if you recall?

6 A. Devryu.net.

7 Q. How do you get access to  
8 that? Is it by password?

9 A. When you go to Miami they give  
10 you that access.

11 Q. Had you been able to access  
12 this before to view your grades prior to that  
13 date?

14 A. No.

15 Q. Was this the first time that  
16 you accessed your grade?

17 A. Yeah.

18 Q. Were you told that your grades  
19 were available or did you just happen to  
20 access the site and found out about the  
21 grade?

22 A. Among friends. We talked.

23 Q. Other than friends talking, you  
24 didn't receive notification that grades were  
25 available?



1 A. DASRATH

2 A. No.

3 Q. So, after --

4 A. I'm not sure if it was just  
5 friends, but to the best of my knowledge  
6 that's how I came up with this idea of  
7 getting on this web site.

8 Q. So, when you access the web  
9 site what do you see?

10 A. I saw that an F was posted for  
11 me.

12 Q. Was there any break down of the  
13 grade or it just has the course name and the  
14 grade?

15 A. I don't recall everything I  
16 saw, I just saw the course name and an F.

17 Q. Did you maintain a copy of what  
18 you saw on the web site?

19 A. The web site somehow does not  
20 allow to print. I couldn't printout  
21 anything.

22 Q. When you saw the failing grade  
23 in the course, what did you do?

24 A. I attempted to contact Dr.  
25 Fernandez.

1 A. DASRATH

2 Q. At this time, are you in Miami  
3 still in April of 2006 or are you back in New  
4 York?

5 A. I'm back in New York.

6 Q. When did classes end, I'm sorry  
7 you, said April 7th, 2006?

8 A. Yes.

9 Q. And then you left immediately  
10 after for New York?

11 A. Yes.

12 Q. How did you try to contact Dr.  
13 Fernandez?

14 A. By phone.

15 Q. And did you get a response?

16 A. Not immediately. Eventually I  
17 did get a response from Dr. Fernandez.

18 Q. Was that by phone or in person?

19 A. By phone.

20 Q. Do you recall when that was?

21 A. Maybe late April or early May  
22 2006.

23 Q. And what did he say to you in  
24 that conversation? Was it with Dr.  
25 Fernandez?

1 A. DASRATH

2 A. Yes.

3 Q. Were there any other deans on  
4 the phone?

5 A. I only spoke to Dr. Fernandez.

6 Q. What did you say to him and  
7 what did he say to you during that  
8 conversation?

9 A. I told him to please look into  
10 the grade, something might be wrong.

11 Q. What made you believe that  
12 something might be wrong?

13 A. I didn't have any failing part  
14 to my course.

15 Q. So, you explained you took five  
16 exams?

17 A. Yes.

18 Q. And as far as you know you  
19 didn't fail any of those exams?

20 A. No.

21 Q. Were there any other parts of  
22 the course that were graded?

23 A. I'm not sure what else were  
24 graded. I don't have proof of any other  
25 things that were graded. I have proof of

1 A. DASRATH

2 those five parts.

3 Q. You do have proof of those five  
4 parts because you have a certification?

5 A. Yes.

6 Q. What is clinical clerkship?

7 A. A clinical clerkship is  
8 something that starts after you pass the  
9 USMAL step I.

10 Q. There is no clinical clerkship  
11 that starts during the AICM course?

12 A. No.

13 Q. There is no clinical clerkship  
14 in the AICM class?

15 A. You have to first pass your  
16 USMAL step I otherwise you are not authorized  
17 to do clinical stuff on live patients.

18 Q. You told them to look into the  
19 grade, something might be wrong and what did  
20 he respond? How did he respond?

21 A. He responded aggressively. He  
22 doesn't like to be told he's wrong.

23 Q. What did he say to you exactly?

24 A. He told me no.

25 Q. And that was it?

1 A. DASRATH

2 A. I don't recall the exact  
3 conversation. But, from what I gathered he  
4 says no.

5 Q. He said no, the grade is not  
6 wrong?

7 A. Something to that effect, yes.

8 Q. Is that the end of your  
9 conversation?

10 A. Yes.

11 Q. Did you have any other further  
12 conversations with him?

13 A. I don't recall any other  
14 conversations.

15 Q. It was just one phone call as  
16 far as now?

17 A. Yes.

18 Q. Did you have any conversations  
19 with anyone else at Ross about your score for  
20 the AICM course?

21 A. Yes.

22 Q. Who was that with?

23 A. Dr. Nancy Perri.

24 Q. When did you speak to Dr.  
25 Perri?

1 A. DASRATH

2 A. It might be late April or early  
3 May. Soon after speaking to Dr. Fernandez.

4 Q. How did you speak to her  
5 face-to-face or by phone?

6 A. By phone.

7 Q. And she called you or you  
8 called her?

9 A. I called her.

10 Q. What did you say to her?

11 A. I told her something is wrong  
12 with the AICM course. If she could look  
13 into it.

14 Q. How did she respond?

15 A. She said yes, she will look  
16 into it.

17 Q. Is that the first time that you  
18 spoke to Dr. Perri during your time at Ross  
19 University?

20 A. Yes.

21 Q. And why did you call Dr.  
22 Perri?

23 A. Because Dr. Perri is Dr.  
24 Fernandez' boss.

25 Q. Was that the end of your

1 A. DASRATH

2 conversation, she said she will look into it  
3 and get back to you?

4 A. Yes.

5 Q. Did you have any further  
6 conversations with her?

7 A. I tried a number of times to  
8 speak to her again.

9 Q. And how did you try, by e-mail  
10 or by phone?

11 A. I tried by phone at first and  
12 then by e-mail.

13 Q. Did you ever reach her on the  
14 phone or by e-mail?

15 A. On the phone I heard somebody  
16 in the background with the voice I think was  
17 hers. But she has a secretary called Judy.  
18 Judy answered the phone.

19 I hear Judy will call to her  
20 that Dr. Perri and Anand Dasrath is on the  
21 phone again and I heard a voice stimulating  
22 her saying tell him I'm in Dominica. That  
23 happened a few times.

24 Q. Did you eventually speak to her  
25 again after that first conversation?

1 A. DASRATH

2 A. No.

3 Q. Did you communicate with her  
4 through e-mail after that first  
5 conversation?

6 A. Yes.

7 Q. What were the e-mails  
8 regarding?

9 A. The same thing. I sent her a  
10 reminder e-mail telling her there is still a  
11 problem with my AICM course. If she could  
12 look into it.

13 Q. Did she get back to you?

14 A. She replied, yes.

15 Q. What did she say?

16 A. That she will look into it  
17 again she said she was in Dominica. She  
18 always says she is in Dominica regardless. I  
19 spoke to other students and that is what she  
20 tells the other students if any of them have  
21 a problem, that she is in Dominica.

22 Q. What other students told you  
23 that?

24 A. Other friends that I took with  
25 the class.



1 A. DASRATH

2 Q. Do you know their names?

3 A. Yeah, one of them was Bahar.

4 Q. That is the first name or last  
5 name?

6 A. That is his first name. I  
7 don't recall his last name.

8 Q. Did anyone else tell you that  
9 said she's in Dominica when she call?

10 A. Yes, Anish.

11 Q. First name or last name?

12 A. That, is the first name.

13 Q. Do you know the last name?

14 A. I don't remember the last  
15 name.

16 Q. Anyone else?

17 A. And they told me they heard  
18 other people saying the same thing.

19 MS. McLAUGHLIN: Can we mark  
20 this document, please.

21 (Whereupon, the aforementioned  
22 e-mail was marked as Defendant's  
23 Exhibit F for identification, as of  
24 this date, by the Reporter.)

25 Q. I ask you to take a look at

1 A. DASRATH

2 this.

3 A. Yes.

4 MS. McLAUGHLIN: I'm showing  
5 the witness Defendant's Exhibit F. It  
6 appears to be an e-mail from Dr.  
7 Fernandez to plaintiff, dated April  
8 23rd, 2006 regarding course grades  
9 posted. AICM 62.

10 Q. Have you reviewed the document?

11 A. I don't see AICM 62.

12 Q. I don't know if that means  
13 anything. It just says AICM 62.

14 I was going to ask you if that  
15 meant something?

16 A. I know what AICM means, but I  
17 don't know what 62 means.

18 Q. Have you ever seen this  
19 e-mail?

20 A. Yes.

21 Q. Going from the bottom up. It  
22 says Dr. Fernandez and it shows his e-mail  
23 address, AICM class grades are posted on  
24 e-college.

25 Is e-college the web site that

1 A. DASRATH

2 we talked about earlier that you logged  
3 into?

4 A. No.

5 Q. It is something different?

6 A. I don't know what is  
7 e-college.

8 Q. Grade breakdowns will be  
9 available by e-mail request starting Monday.  
10 Did you make a request for  
11 grade breakdowns?

12 A. I didn't send any request for  
13 grade breakdowns.

14 Q. So, you logged into a web site  
15 that is not e-college, to your knowledge, it  
16 is something different?

17 A. I don't know something called  
18 e-college.

19 Q. Did you see your grade and then  
20 write this e-mail to Dr. Fernandez that is  
21 above what we were just discussing?

22 A. Yes.

23 Q. The e-mail above is from Mr.  
24 Dasrath to Dr. Fernandez and it is dated  
25 April 22nd, 2006; is that correct?

1 A. DASRATH

2 A. Yes.

3 Q. So, at that time --

4 A. April 22nd or 23rd?

5 Q. Your e-mail to Dr. Fernandez

6 below is April 22nd, 2006 on Saturday?

7 A. Oh, yes.

8 Q. So, at that point you were  
9 aware of a failing grade; is that correct?

10 A. I don't know if it is a failing  
11 grade. They just list phony grades.

12 Q. Dr. Fernandez, I see a failing  
13 grade as a final grade?

14 A. I'm just questioning this  
15 whether it is a failing grade. I don't know  
16 what the guy is listing. I don't know what  
17 he is doing.

18 Q. So, you see a failing grade on  
19 this web site you logged into?

20 A. Yes.

21 Q. And you e-mailed Dr. Fernandez  
22 to check certain items?

23 A. Yes.

24 Q. It says please check, I don't  
25 see an upgraded grade for my EPI/Biostatic

1 A. DASRATH

2 grade.

3 What is EPI/Biostatics?

4 A. I think I'm referring to  
5 epi-dermanolog.

6 Q. That is a portion of the AICM  
7 class?

8 A. There was a lecture. I don't  
9 know if there were grades. If grades were  
10 allocated for it. But, I suspect grades were  
11 allocated for it.

12 Q. It says only the first failing  
13 grade of 50 out of 76 are there.

14 What were the 50 out of 76 that  
15 you were referring to?

16 A. I don't know what it is. A lot  
17 of these things are phony. This web site  
18 doesn't exist, to my knowledge. I tried to  
19 sign on. So, lots of phony things will show  
20 up and I'm questioning a lot of these  
21 things.

22 Q. You didn't know of any failing  
23 grade of 50 out of 76 prior to this log on to  
24 the web site?

25 A. I don't know what it is.

1 A. DASRATH

2 Q. You say what happened to the  
3 remediated grade? Did you remember taking  
4 an exam?

5 A. Yes.

6 Q. What exam was that?

7 A. They make you take exams any  
8 time you want. I don't recall which specific  
9 exams. They make you take exams and I don't  
10 know where they came from.

11 Q. Did you remediate a failing  
12 grade in the AICM course?

13 A. Yes.

14 Q. So, you retook an exam?

15 A. Yes.

16 Q. And did you pass that exam?

17 A. I don't know.

18 Q. It says 36 percent for the  
19 final essay is very unconscionable.

20 A. Yeah.

21 Q. So, for the AIMC course you  
22 talk about five exams that were certification  
23 exams?

24 A. Yes.

25 Q. Was there a final essay exam

1 A. DASRATH

2 separate from the five certificationcs?

3 A. It may belong to one of those  
4 tests.

5 Q. Was it called the final  
6 essay?

7 A. I don't recall anything called  
8 a final essay. But sometimes it comes up  
9 like this. They will tell you you failed a  
10 final essay and you don't know what they are  
11 talking about so you got to question it.

12 Q. And the person that marked it  
13 did not do a fair job.

14 What was the basis for that  
15 statement?

16 A. I didn't remember failing  
17 anything.

18 Q. So, the final essay, was this  
19 the first time that you had revised your  
20 grade for that final essay portion of the  
21 course?

22 Was this the first time that  
23 you saw 36 percent for the final essay?

24 A. Yeah.

25 Q. Do you know who marked it?

1 A. DASRATH

2 A. I don't know.

3 Q. You were concerned, it appears  
4 I knew what was asked and what the answers  
5 were, my poor penmanship may have annoyed the  
6 marker, but not a reasonable excuse to get a  
7 failing grade.

8 Do you recall what led you to  
9 believe that your poor penmanship might have  
10 been the reason why you failed the essay?

11 A. I do have poor penmanship and  
12 some people get annoyed. That has been a  
13 long-standing problem.

14 Q. Did you discuss your final  
15 essay grade with Dr. Fernandez in your  
16 conversation with him on the phone?

17 A. No.

18 Q. Did you discuss your penmanship  
19 with him on the phone?

20 A. No.

21 Q. It says also look at my second  
22 case write-up.

23 What is a case write-up?

24 A. Sometimes they just ask --  
25 they give you information about the paper and



1 A. DASRATH

2 ask you to write something and give it to  
3 them.

4 Q. How many case write-ups did you  
5 complete?

6 A. So far as I remember this is  
7 the only time I did one.

8 Q. It says look at my second case  
9 write-up.

10 Would you have a first case  
11 write-up?

12 A. I don't recall.

13 Q. Under subjective conditions it  
14 says such as this, any reader can give any  
15 essay a C minus and cause the student a  
16 failing final grade.

17 What was the basis for that  
18 statement?

19 A. I don't know where the credit  
20 minus came from.

21 Q. What were you referring to?

22 A. I'm referring to things I did  
23 in Miami. Sometimes we write up things and  
24 give it to them. I don't know which one was  
25 what.

1 A. DASRATH

2 Q. Did you receive a C minus?

3 A. Maybe I did. I don't recall  
4 it.

5 Q. Were you taking issue with the  
6 C minus?

7 A. I really didn't take issue with  
8 them.

9 Q. Did you agree with that  
10 grade?

11 A. Not at all.

12 Q. And then the last, number four  
13 I should say, how did I end up with a 36/50  
14 in the extra credit after ten points were  
15 allocated for staying to the end of the soap  
16 notes lecture which I did.

17 What is the soap notes  
18 lecture?

19 A. I don't know if it is called  
20 soap. Yeah, soap. He said he was giving  
21 points if you just sit in the class to the  
22 end. He was giving ten points. But I  
23 thought it was false information he was  
24 giving.

25 Q. So, did you get the ten

1 A. DASRATH

2 points?

3 A. I didn't think it exists.

4 Q. What is the false information  
5 he was given?

6 A. That he just stands in front of  
7 the class and was given all those people that  
8 stay there ten points.

9 Q. Did you write up notes from  
10 that lecture?

11 A. I'm sure I took notes, yes.

12 Q. It says I wrote up my soap,  
13 presented it and answered all the questions  
14 correctly except for one.

15 He has people walking around  
16 asking you questions. They are happy to give  
17 you points.

18 When you were writing this  
19 e-mail to Dr. Fernandez, were you concerned  
20 that you didn't get points for that lecture?

21 A. I don't know what I had points  
22 for, what I didn't have points for.

23 It's very confusing at that  
24 point and I have to wait for my grade from  
25 the registrar's office.

1 A. DASRATH

2 Q. Why did you have to wait for  
3 your grade from the registrar's office?

4 A. Because of the erratic way of  
5 giving grades. They have a strange way of  
6 giving grades.

7 Q. You had to wait for your grade  
8 from the registrar's office because of the  
9 erratic way they give grades?

10 A. Yeah.

11 Q. I don't understand that. Can  
12 you explain that?

13 A. It's very difficult to know  
14 what your grade will be until you get it from  
15 the registrar's office.

16 Q. But when you logged into the  
17 Devry web site and you saw a failing grade,  
18 you didn't believe it was a failing grade  
19 because you hadn't received the transcript?

20 A. I didn't receive a transcript  
21 until August the 14th, 2006.

22 Q. Did that transcript also  
23 reflect a failing grade?

24 A. Yes.

25 Q. So, then did you believe that

1 A. DASRATH

2 you failed the course?

3 A. No.

4 Q. So, in April of 2006 you didn't  
5 fail the course?

6 A. No.

7 Q. And in August of 2006, you  
8 didn't believe that you failed the course?

9 A. No.

10 Q. You said you had a conversation  
11 with Dr. Fernandez by phone.

12 We talked about that earlier?

13 A. Yes.

14 MS. McLAUGHLIN: I have another  
15 exhibit.

16 (Whereupon, the aforementioned  
17 memo was marked as Defendant's Exhibit  
18 G for identification, as of this date,  
19 by the Reporter.)

20 Q. I'm going to ask you to take a  
21 look at that memo.

22 A. Yes, I took a look at this  
23 memo.

24 Q. Showing the witness what has  
25 been marked as Exhibit G and it is entitled

1 A. DASRATH

2 memorandum for the record, April 24th, 2006.

3 I will ask you have you seen  
4 this prior to you sitting here today?

5 A. Yes.

6 Q. When was the first time that  
7 you saw this?

8 A. When the case was in the  
9 Supreme Court. I believe it was 2006.

10 Q. First line says Dr. Fernandez  
11 conferred today by telephone with Anand  
12 Dasrath about the failing grade he earned for  
13 the fifth semester just concluded.

14 Does that make sense that April  
15 24th, 2006 would have been the time you  
16 called or spoke with at least Dr. Fernandez  
17 on the phone?

18 A. Yes, it seems to be.

19 Q. Dr. Fernandez informed Anand  
20 that he was essentially two Standards  
21 Deviations from the norm.

22 Did he communicate that to you  
23 during that phone conversation?

24 A. No.

25 Q. He said that Anand earned a C

1 A. DASRATH

2 on the mid-term exam, failed the final exam,  
3 and had a very low score on the essay  
4 portion, a 63 out of a possible 200.

5 Did you discuss those items  
6 with Dr. Fernandez on that telephone call?

7 A. I don't recall this.

8 Q. You received a C on the  
9 mid-term exam?

10 A. I don't recall receiving a C on  
11 the mid-term exam.

12 Q. Did you know what your score  
13 was on the final exam?

14 A. The final exam was for each  
15 part. They were passing. Each final exam I  
16 took for each part passed.

17 Q. So, did you not believe that  
18 you failed the final exam?

19 A. No.

20 Q. And the essay portion, do you  
21 remember writing for the essay portion for  
22 the exam?

23 A. I may have written, but I don't  
24 know if I recall for the written for the  
25 final exam.

1 A. DASRATH

2 Q. Do you recall writing for an  
3 exam where you were concerned about your  
4 penmanship?

5 A. Sometimes we do write, yes, I  
6 have bad penmanship.

7 Q. You just don't recall having a  
8 written portion of an exam for this AICM  
9 course?

10 A. I don't recall.

11 Q. At any time did you learn that  
12 you received a 63 out of a possible 200 on  
13 the essay portion of the exam?

14 A. I don't know what it is.

15 Q. Was that posted on the internet  
16 site that you logged into, to learn of your  
17 grade?

18 A. Not to my knowledge.

19 Q. Did you learn that during the  
20 conversation with Dr. Fernandez?

21 A. He never mentioned it to me. I  
22 don't recall him saying that.

23 Q. So, the first time that you  
24 learned of this is when you saw this memo in  
25 the Supreme Court matter?



1 A. DASRATH

2 A. Yes.

3 Q. It looks like according to this  
4 memo there were two write-ups.

5 Is that the soap write-up that  
6 we were referring to earlier?

7 A. I don't know what they are  
8 referring to.

9 Q. You don't remember any  
10 write-ups from the AMCI course?

11 A. There were things that they  
12 wrote. I don't recall write-ups.

13 Q. Do you remember any scores on  
14 the write-ups or points for them?

15 A. I don't recall. Now and then  
16 there are scores, but I don't recall exactly  
17 what he is referring to.

18 Q. Were you given any of these  
19 scores during the course of the semester?

20 A. No.

21 Q. So, you never received a score  
22 during the course of the semester, only until  
23 you received your final grade was the only  
24 time that you learned of your progress in  
25 that class?

1 A. DASRATH

2 A. After I received my final --  
3 after he placed that F on his web site I  
4 became suspicious something is going on and I  
5 see all of this came out.

6 Q. I guess during the year though  
7 do you get grades on tests or scores on your  
8 write-ups as the course goes along? Or are  
9 you just hand in exams and you don't know  
10 what the scores are until the end?

11 A. I get the certificates.

12 Q. Just the five certifications?

13 A. Yes.

14 Q. But no other write-ups do you  
15 receive points for?

16 A. It wouldn't stand out in my  
17 memory as being the basis for passing or  
18 failing the exam.

19 Q. But you don't know what your  
20 scores were?

21 A. I don't know what they were.

22 Q. You know you passed the five  
23 certifications?

24 A. Yes.

25 Q. Were they scores or were they

1 A. DASRATH

2 just pass/fail?

3 A. I believe they were scored.

4 Q. Do you know what the scores  
5 were on those five certifications?

6 A. I have to look into it. I  
7 think they were high, in the 90s. I remember  
8 one was 100. I would have to look up and  
9 match the scores.

10 MS. McLAUGHLIN: I put a  
11 request on the record for any records  
12 of the scores on the five  
13 certifications you received or any  
14 other scores you received in the AICM  
15 class, if you have them.

16 A. They should have them. I have  
17 the certification. They have that.

18 Q. But to the extent that you have  
19 any records of these scores.

20 MR. COSTELLO: We will provide  
21 them if we have them.

22 Q. Do you recall what the physical  
23 exam was?

24 A. Yes.

25 Q. When did you take that?

1 A. DASRATH

2 A. At the end of the AICM course.

3 Q. Did you take it more than  
4 once?

5 A. Yes.

6 Q. When did you first take it?  
7 Was it in April of 2006?

8 A. Yes.

9 Q. What was your score the first  
10 time you took it?

11 A. I don't know the score.

12 Q. So, you failed it the first  
13 time then?

14 A. I don't believe I failed it,  
15 but he just instruct some people to retake  
16 it. To my knowledge I passed it the first  
17 time.

18 Q. To the school's knowledge, was  
19 it reflected as a failing test?

20 A. No.

21 Q. So, you passed the first time  
22 and you were told to retake it?

23 A. Yes.

24 Q. The school told you you passed  
25 the test the first time?

1 A. DASRATH

2 A. Somebody in that office says to  
3 retake it and I redid it.

4 Q. And you didn't know why you  
5 were retaking it?

6 A. They just list some people to  
7 retake it. It doesn't have to be a pass or a  
8 fail.

9 Q. And when you retook it, did you  
10 pass or fail?

11 A. Again, the score, to my  
12 knowledge, I scored very high both times.

13 Q. What did you score the first  
14 time?

15 A. I think a 97 percent.

16 Q. What did you score the second  
17 time?

18 A. 94 percent.

19 Q. How much of the final grade in  
20 your AICM course was comprised of the  
21 physical exam?

22 A. This is just to pass it or fail  
23 it. If they say you pass it, you pass it.

24 Q. So, it doesn't matter if you  
25 get a 97 or 77 percent?

1 A. DASRATH

2 A. To my knowledge I don't know  
3 how it is graded.

4 Q. During the conversation that  
5 you had on April 24th with Dr. Fernandez, did  
6 he tell you that you would have to repeat the  
7 AICM course?

8 A. I don't recall if he said I  
9 have to repeat or not.

10 Q. If you have a failing grade in  
11 the course, are you required to repeat the  
12 class as you did earlier in the genetics  
13 class?

14 A. Yes.

15 Q. And are you required to repeat  
16 the course in the semester immediately  
17 following the failing class as you did in  
18 genetics?

19 A. No.

20 Q. You are not required to retake  
21 the class?

22 A. The AICM course can be taken  
23 later.

24 Q. What is the basis of that  
25 statement?

1 A. DASRATH

2 A. We were having summer vacation  
3 following the AICM course.

4 Q. Who was having summer vacation,  
5 I'm sorry?

6 A. I was having summer vacation.

7 Q. You were personally having a  
8 summer vacation that summer?

9 A. And the rest of the class.

10 Q. And the rest of the class?

11 A. Yes.

12 Q. So, if you failed the AICM  
13 class, you don't have to take the semester  
14 immediately after, if you are having a  
15 vacation?

16 A. No.

17 Q. When do you to have retake the  
18 class?

19 A. If someone fails the AICM, they  
20 can do it after the summer vacation.

21 Q. How do you know that?

22 A. That was stated by Dr.  
23 Fernandez.

24 Q. So, did Dr. Fernandez tell you  
25 that you would have to take the class

1 A. DASRATH

2 starting May 22nd or some other time?

3 A. No.

4 Q. He didn't tell you that you  
5 would have to retake the class starting May  
6 22nd?

7 A. No.

8 Q. Did he tell you that you would  
9 have to do three weeks of clinicals?

10 A. No.

11 Q. Did he tell you that you would  
12 have to do one write-up until a grade  
13 satisfactory or better is achieved?

14 A. No.

15 Q. Did he tell you you were exempt  
16 from the EPI and the PE, the PE being, I  
17 believe the physical exam?

18 A. We didn't have this  
19 discussion.

20 Q. So, he didn't tell you that?

21 A. To my knowledge, no.

22 Q. Did he tell you that you must  
23 attend large and small group sessions except  
24 for the EPI?

25 A. No.



1 A. DASRATH

2 Q. Did he tell you that you must  
3 take the mid-term and finals?

4 A. No.

5 Q. At any point did you apply to  
6 retake the AICM class?

7 A. No.

8 Q. Why not?

9 A. I was never asked. I was never  
10 pre-registered for it.

11 Q. You were never pre-registered  
12 for it?

13 A. Yes.

14 Q. What does pre-register mean?

15 A. Pre-register means whatever  
16 class Ross wants you to take they  
17 pre-register and send you a bill. You are  
18 pre-register in the class.

19 When you pay you become  
20 registered. I didn't do any registration. I  
21 never did any registration.

22 Q. Did Dr. Fernandez ever tell you  
23 either during this conversation or others  
24 that you could defer starting to take the  
25 AICM course in September?

1 A. DASRATH

2 A. No.

3 Q. Do you ever remember telling  
4 Dr. Fernandez that if you knew that you spent  
5 two years in hospitals as a pharmacist?

6 A. No.

7 Q. Did you have any discussions  
8 with Dr. Fernandez during this conversation  
9 about tuition?

10 A. No.

11 Q. What happened during this phone  
12 call to Dr. Fernandez on April 24th, 2006?

13 A. I'm still waiting for an answer  
14 from Dr. Fernandez.

15 Q. And Dr. Perri that you referred  
16 to got back to you by e-mail; is that  
17 correct?

18 A. Yes.

19 Q. I'm going to show you an  
20 exhibit.

21 MS. McLAUGHLIN: Let's mark  
22 this as the next exhibit.

23 (Whereupon, the aforementioned  
24 e-mail was marked as Defendant's  
25 Exhibit H for identification, as of

1 A. DASRATH

2 this date, by the Reporter.)

3 Q. You had a chance to look at  
4 what is called Defendant's Exhibit H.

5 A. Yes.

6 Q. It appears to be an e-mail from  
7 Dr. Perri to Mr. Dasrath dated Friday, May  
8 12th, 2006.

9 The first line in the e-mail  
10 says I'm in Dominica still waiting to speak  
11 to Dr. Fernandez. I will follow-up when I  
12 get the details from him.

13 Do you recall receiving this  
14 e-mail from Dr. Perri?

15 A. Yes.

16 Q. In between your conversation  
17 with Dr. Fernandez and this e-mail, did you  
18 have any other conversations with anyone at  
19 Ross concerning your AICM course?

20 A. I don't recall.

21 Q. And Dr. Perri did she get back  
22 to you after this e-mail?

23 A. No.

24 Q. The e-mail below this, on the  
25 same page, from Friday, May 5th -- I'm

1 A. DASRATH

2 sorry, May 12th, 2006 from you to Dr. Ferri,  
3 refers to a phone call you had with her on  
4 May 8th.

5 Do you recall what you  
6 discussed on that phone call?

7 A. Yes, I have a recollection of  
8 that, yes.

9 Q. What did you say to her?

10 A. I told her that Dr. Fernandez  
11 is posting failing grades, which seems to me  
12 a phony failing grade and Devryu.net. The  
13 web site.

14 Q. So, you told her it was a phony  
15 failing grade in that conversation?

16 A. That was my belief.

17 Q. Why was the phony?

18 A. Because it didn't reflect my  
19 performance in the course.

20 Q. And why did you believe your  
21 performance warranted a passing grade?

22 A. All the proof that I had were  
23 passing.

24 Q. The five certifications?

25 A. Yes.

1 A. DASRATH

2 Q. And the last line of the first  
3 paragraph, it says I previously requested  
4 that write-up and the soap notes weeks ago  
5 from them.

6 Did you request that  
7 information from Dr. Fernandez in your  
8 conversation with him?

9 A. If he did mention, I would want  
10 to see what he was talking about and I did  
11 request what he was talking about, but he  
12 didn't give me anything.

13 Q. So, you recall discussing with  
14 him the soap notes?

15 A. He mentioned it and I wanted to  
16 see what it was.

17 Q. Did you ever receive those  
18 notes, by the way?

19 A. I didn't receive anything from  
20 him. I never received any soap notes from  
21 him.

22 MS. McLAUGHLIN: I'm going to  
23 mark the next exhibit.

24 (Whereupon, the aforementioned  
25 letter was marked as Defendant's

1 A. DASRATH

2 Exhibit I for identification, as of  
3 this date, by the Reporter.)

4 Q. So, you e-mailed Dr. Perri on  
5 May 8th and you said you didn't hear from her  
6 after that?

7 A. Yes.

8 Q. Did you speak with anyone else  
9 after the May 8th conversation with her and  
10 before the date of this exhibit, which is May  
11 15th?

12 A. I don't recall any such  
13 conversations.

14 Q. Showing you what has been  
15 marked as Defendants' Exhibit I and is dated  
16 May 15th, 2006.

17 I would like you to take a look  
18 at that.

19 A. I took a look.

20 Q. Is this your signature on this  
21 letter?

22 A. Yes.

23 Q. It appears to be a letter from  
24 you to the office of the registrar at Ross  
25 University?

117

1 A. DASRATH

2 A. Yes.

3 Q. In this letter you request a  
4 student transcript?

5 A. Yes.

6 Q. And a student handbook?

7 A. Yes.

8 Q. Why was that?

9 A. I wanted the student transcript  
10 to see if I had a grade in my AICM course.

11 Q. Had you received your official  
12 transcript yet?

13 A. No.

14 Q. So, the official transcript had  
15 not yet been released; is that correct?

16 A. No.

17 Q. Why did you ask for the  
18 handbook?

19 A. I wanted to see what -- how I  
20 can proceed because there is a problem  
21 here. I want to see what is in the  
22 handbook.

23 Q. Did you receive a copy of the  
24 handbook and your grade?

25 A. I received a copy of the grade,

1 A. DASRATH

2 but not a copy of the handbook.

3 MS. McLAUGHLIN: I'm going to  
4 mark this document as Exhibit J.

5 (Whereupon, the aforementioned  
6 transcript was marked as Defendant's  
7 Exhibit J for identification, as of  
8 this date, by the Reporter.)

9 Q. Did you have a chance to take a  
10 look at it?

11 A. Yes.

12 Q. Defendant Exhibit J. It appears  
13 to be a transcript and is dated 5/22/2006  
14 several days after the letter that you wrote  
15 to Ross.

16 Is this the transcript that you  
17 received in response to your letter?

18 A. Yes.

19 Q. On this transcript, are your  
20 scores reflected yet for the AICM course?

21 A. No.

22 Q. So, there is no entry yet for  
23 the AICM course as of May 22nd, 2006?

24 A. No.

25 Q. Was it your understanding that



1 A. DASRATH

2 there should have been an entry for this  
3 course as of May 22nd, 2006?

4 A. Yes.

5 Q. Why is that?

6 A. It was several weeks already  
7 since I was waiting for this entry.

8 Q. Why were you waiting several  
9 weeks for this entry?

10 A. I wanted to see my grade for  
11 the AICM course.

12 Q. Are there any requirements that  
13 the AICM course or any grade be posted  
14 several weeks after the final grade is  
15 issued?

16 A. It is usually posted within two  
17 weeks.

18 Q. What do you mean by posted?

19 A. It is in the registrar's  
20 office, and in the transcript.

21 Q. And that's based on your past  
22 experience?

23 A. Yes.

24 Q. Is there anything that requires  
25 Ross University to submit the grade to the

1 A. DASRATH

2 registrar's office and in the transcript  
3 within two weeks?

4 A. I did see postings to that  
5 issue in Dominica and I believe Ross has its  
6 own internal regulations.

7 Q. What are the postings that you  
8 are referring to about this regulation?

9 A. That the students' grades will  
10 be posted as soon as possible.

11 Q. What are the postings that you  
12 are referring to? Where does it say that is  
13 what I'm saying?

14 A. It is posted on the registrar's  
15 door in Dominica.

16 Q. You said that Ross has its own  
17 internal policies as to when it should post  
18 and report grades on the transcript?

19 A. That is what I recall as Ross  
20 policies that grades will be posted as soon  
21 as possible.

22 Q. Where is this policy?

23 A. This policy was posted as the  
24 door at the registrar's office in Dominica.

25 Q. Are there any other places that

1 A. DASRATH

2 these policies are listed, to your knowledge?

3 A. I don't know.

4 Q. After you received this  
5 transcript, did you discuss it with  
6 anybody?

7 A. Yes.

8 Q. Who did you discuss it with?

9 A. With Mr. George Gilmer.

10 MS. McLAUGHLIN: Mark this  
11 document.

12 (Whereupon, the aforementioned  
13 letter was marked as Defendants'  
14 Exhibit K for identification, as of  
15 this date, by the Reporter.)

16 Q. I show you what has been marked  
17 as Exhibit K. It is a letter dated May 31st,  
18 2006 from Mr. George Gilmer, to Dr. Perri  
19 regarding Anand Dasrath.

20 Have you had a chance to look  
21 at this?

22 A. Yes.

23 Q. In this letter about three  
24 sentences in, it states I have been advised  
25 that your school has wrongly denied Mr.

1 A. DASRATH

2 Dasrath the opportunity to return to the  
3 clinical rotation in the upcoming sixth  
4 semester.

5 Can you explain who denied you  
6 the opportunity to return to the clinical  
7 rotation in the upcoming sixth semester?

8 A. Ross University.

9 Q. Between receiving, requesting  
10 your transcript on May 15th and this letter  
11 of May 31st, was there any requests to return  
12 to the clinical rotation in the sixth  
13 semester made by you?

14 A. I informed Mr. Gilmer that they  
15 haven't yet posted a grade for my AICM  
16 course, which is stopping my progress. This  
17 is what he is referring to.

18 Q. When you say they haven't  
19 posted, they posted on the web site, but not  
20 on the transcript; is that correct?

21 A. That is correct.

22 Q. Did anyone deny you, from Ross,  
23 did anyone tell you that you could not return  
24 for the upcoming sixth semester?

25 A. Well, Dr. Perri is not

123

1 A. DASRATH

2 responding, Dr. Fernandez is not responding  
3 and I presume they're blocking me.

4 Q. It also says that Mr. Dasrath  
5 has requested a return of the money he  
6 invested in your program.

7 Who did you ask for the return  
8 of money from?

9 A. I mentioned it to Mr. Gilmer if  
10 they just were going to operate like this.  
11 How could I get back my money. So, he is  
12 mentioning it to the school.

13 Q. I meant did you personally  
14 request a return of your tuition payments?

15 A. No.

16 Q. Do you know if anyone spoke to  
17 Mr. Gilmer after he sent this letter on May  
18 31st, 2006?

19 A. To my knowledge, I don't know  
20 of anyone speaking to him.

21 MS. McLAUGHLIN: I'm going to  
22 mark this as Exhibit L.

23 (Whereupon, the aforementioned  
24 letter was marked as Defendant's  
25 Exhibit L for identification, as of

1 A. DASRATH

2 this date, by the Reporter.)

3 Q. This letter is marked Exhibit L  
4 and it is dated June 3rd, 2006 from Mr.  
5 Gilmer to Dr. Perri. It discusses following  
6 up on a May 30th letter which we just  
7 reviewed and subsequent conversations he had  
8 with your office, meaning Dr. Perez' office.

9 Do you know what those  
10 conversations were about?

11 A. I just see what is written here  
12 that he is informing them that they should do  
13 something about this, but nobody is doing  
14 anything.

15 Q. Did you provide a release as  
16 requested in this letter?

17 A. Yes.

18 Q. Did you receive any information  
19 after the release was provided from the  
20 school?

21 A. No, no information.

22 Q. Do you know if Mr. Gilmer spoke  
23 to the school further after this letter of  
24 June 3rd, 2006?

25 A. I don't believe so. I don't

1 A. DASRATH

2 know.

3 Q. At some point after this  
4 letter, the Queens County lawsuit was filed,  
5 the Supreme Court matter?

6 A. Yes.

7 Q. Do you know if there were any  
8 conversations with the school before that  
9 lawsuit was filed, either by you or Mr.  
10 Gilmer?

11 A. I don't recall having  
12 conversations and I don't know what  
13 conversations if he had or what he had.

14 Q. Did you have any conversations  
15 with the school from the point that you spoke  
16 to Dr. Perri around May 8th and the time of  
17 the filing of the Supreme Court matter?

18 A. I don't recall.

19 Q. Did they send you any  
20 information or letters?

21 A. I didn't receive -- apart from  
22 the transcript I received it May 22nd, I  
23 don't think I received anything else.

24 Q. Did you call them or anybody at  
25 Ross during that time period?

1 A. DASRATH

2 A. I don't recall.

3 Q. Did you call anyone concerning  
4 your status?

5 A. I don't recall.

6 Q. Did you call about  
7 re-registering for the AICM course for the  
8 May 22nd start date?

9 A. I never called to re-register.  
10 They decide if they register, who they  
11 register and we don't have access to  
12 registration procedures in their computer.

13 Q. So, the first time that you  
14 failed -- when you fail the genetics class  
15 in the first semester, did you have to retake  
16 that immediately after failing?

17 A. Yes.

18 Q. And did you register for it?

19 A. They did it.

20 Q. And how did that work?

21 A. They register and tell you to  
22 pay a certain amount of money. They send you  
23 a bill.

24 Q. Were you sent a bill after the  
25 end of the May 2006 semester?



1 A. DASRATH

2 A. No.

3 Q. You weren't sent any further  
4 bills?

5 A. No.

6 Could you repeat the last  
7 question.

8 MS. McLAUGHLIN: Repeat it for  
9 me.

10 (Whereupon, the referred to  
11 question was read back by the  
12 Reporter.)

13 A. The semester had ended in April  
14 and not May.

15 Q. I'm sorry. After the end of  
16 the April semester --

17 A. I did not receive any bills or  
18 pre-registration material.

19 Q. What is the NBME?

20 A. NBME, that is the National  
21 Board of Medical Examination.

22 Q. Is that an exam that you  
23 took?

24 A. Yes.

25 Q. When did you take that?

1 A. DASRATH

2 A. In the spring of 2006.

3 Q. When in the spring of 2006?

4 A. It was close to the end OF the  
5 semester. I don't recall the exact date. I  
6 believe it's March the 6th. I would have to  
7 look that up.

8 Q. Did you pass that exam?

9 A. Yes.

10 Q. When did you receive your  
11 passing score?

12 A. Shortly after that.

13 Q. Is it a fair statement that the  
14 NBME and the AICM course is required in order  
15 to sit for the USMLE course?

16 A. Yes.

17 Q. You had to have passed both of  
18 those components in order to sit for the  
19 USMLE?

20 A. Yes.

21 Q. As of March or shortly  
22 thereafter you had passed the NBME?

23 A. Yes.

24 Q. Around that time were you  
25 applying to take the USMLE?

1 A. DASRATH

2 MR. COSTELLO: USMLE step I.

3 MS. McLAUGHLIN: Yes, step I.

4 USMLE step I.

5 Q. Around the time that you took  
6 and received your score in the NBME were you  
7 applying to take the USMLE step I?

8 A. Yes.

9 MS. McLAUGHLIN: We will mark  
10 these two documents, please.

11 (Whereupon, the aforementioned  
12 two USMLE applications were marked as  
13 Defendant's Exhibits M and N for  
14 identification, as of this date, by the  
15 Reporter.)

16 Q. I'm going to ask you to take  
17 take look at what has been marked as  
18 Defendant's M and N.

19 MR. COSTELLO: Before you go I  
20 want to make a statement on the  
21 record.

22 I have what has been introduced  
23 as Defendant's Exhibits M and N.  
24 Exhibit M looks like it's a USMLE  
25 application, page seven of seven.

1 A. DASRATH

2 And Exhibit N is also a USMLE  
3 application dated May 5th, 2006.

4 I'm going to go back, Exhibit M  
5 is dated it looks like March 20th,  
6 2006.

7 Both of these applications are  
8 page seven of seven.

9 Defendant's counsel has only  
10 produced page seven. Therefore I'm  
11 calling for production of pages one  
12 through six of these applications.

13 MS. McLAUGHLIN: Let's state  
14 for the record you produced to me these  
15 documents so I don't know if they came  
16 from Mr. Dasrath's file, if he has  
17 pages one through six. That is what I  
18 was going to ask him where the  
19 remainder of the record is.

20 If we have them, I will check,  
21 if not already produced. I don't know  
22 if we maintained a copy in our file.

23 MR. COSTELLO: Would your  
24 client be able to --

25 MS. McLAUGHLIN: I will take a

1 A. DASRATH

2 look.

3 Q. We are taking a look at Exhibit  
4 M and N which appears to be pages 7 of 7 of  
5 an application to take the USMLE step I, am I  
6 correct?

7 A. Yes.

8 Q. Do you recall -- let me start  
9 by saying is that your signature on each of  
10 these documents?

11 A. Yes.

12 Q. The first one, is dated March  
13 20th, 2006?

14 MR. COSTELLO: It is actually  
15 dated March 23rd. It was signed by my  
16 client on March 12th and signed by  
17 Bridget Sena on March 20th.

18 Q. Was this a part of your package  
19 to apply for the USMLE in March of 2006?

20 A. Yes.

21 Q. And then the second document in  
22 Exhibit N, the part that you signed it on  
23 April 22nd, 2006 and it was signed by Bridget  
24 Seena?

25 A. On May 5th, 2006.

1 A. DASRATH

2 Q. Is there also a package, part  
3 of your package of an application to take the  
4 USMLE step I?

5 A. Yes.

6 Q. Do you know why there are two  
7 different applications here?

8 A. Yes.

9 Q. What is the difference between  
10 the two applications, if you know?

11 A. The first one was submitted on  
12 March the 12th, 2006. At the recommendation  
13 of Dr. Enrique Fernandez.

14 Q. To sit for the USMLE at that  
15 point you to have apply; is that correct?

16 A. Yes.

17 Q. Is that stated in any  
18 regulations or handbooks of the school that  
19 you know of?

20 A. Yes.

21 Q. And so in March of 2006 you  
22 applied to take the USMLE; is that correct?

23 A. Yes.

24 Q. And then in May 2006, there is  
25 a second application.

1 A. DASRATH

2 Do you know why there is a  
3 second application to take the exam?

4 A. Yes.

5 Q. Why is that?

6 A. The second application has to  
7 be filled out again because the first  
8 application was rejected.

9 Q. Why was it rejected?

10 A. They wanted to verify my date  
11 of birth.

12 Q. What is your date of birth?

13 A. November 12th, 1957.

14 Q. And the first application was  
15 that missing or was it incorrect?

16 A. To my knowledge, it was  
17 correct.

18 Q. And they asked for a new  
19 application to be sent there?

20 A. Yes.

21 Q. Who asked for that new  
22 application to be sent?

23 A. The USMLE office.

24 Q. Is that the examining board?

25 A. Yes.

1 A. DASRATH

2 Q. ECFMG?

3 A. Yes.

4 Q. So, they asked for a new  
5 application to be provided?

6 A. Yes.

7 Q. During the time that these two  
8 applications were completed both the March  
9 and May application you were enrolled in the  
10 AICM course; is that correct?

11 A. No.

12 Q. You were not?

13 A. No. The first one I was  
14 enrolled. The second one I already finished  
15 it.

16 Q. Because it completed on April  
17 7th, 2006?

18 A. Yes.

19 Q. Were you enrolled in the school  
20 as of May 5th, 2006?

21 A. Yes. Not in the AICM course.  
22 The course was over.

23 Q. Did there come a time when you  
24 actually took the USMLE step I exam?

25 A. Yes.



135

1 A. DASRATH

2 Q. When was that?

3 A. July 27th, 2006.

4 Q. From the time you applied in or  
5 about May 2006 to the time you sat for the  
6 exam in July of 2006, did you have any  
7 conversations with the ECFMG board?

8 A. No.

9 Q. Did you have any correspondence  
10 from them?

11 A. No.

12 Q. Did you notify them of your  
13 failing grade in the AICM class?

14 A. I didn't receive a failing  
15 grade from the AICM class yet, from the  
16 registrar's office.

17 MS. McLAUGHLIN: I would like  
18 to mark the next exhibit.

19 (Whereupon, the aforementioned  
20 affidavit was marked as Defendant's  
21 Exhibit O for identification, as of  
22 this date, by the Reporter.)

23 Q. I show you what has been marked  
24 as Exhibit O. It appears to have the caption  
25 of Dasrath versus Ross University in the

1 A. DASRATH

2 Supreme Court County of Queens.

3 It is entitled affidavit in  
4 support. I ask you to take a look at the  
5 second page of the document. And I ask you  
6 if that is your signature or a copy of your  
7 signature?

8 A. Yes, that is my signature.

9 Q. Do you recall signing this  
10 affidavit in or about July 19th of 2006?

11 A. Yes.

12 Q. And this affidavit was in  
13 connection with the lawsuit filed in the  
14 Supreme Court of Queens County?

15 A. Yes.

16 Q. This lawsuit was filed prior to  
17 you sitting for the USMLE exam?

18 A. Yes.

19 Q. Do you recall why you filed the  
20 lawsuit?

21 A. I still didn't receive any AICM  
22 grade from the registrar's office.

23 Q. In this affidavit, paragraph 3,  
24 it says although -- it says I am currently  
25 registered for the USMLE step I exam,

1 A. DASRATH

2 although the school has informed me that they  
3 will withdraw their sponsorship.

4 This informed you that they  
5 will withdraw their sponsorship?

6 A. I don't recall.

7 Q. How did you find that out?

8 A. I don't recall.

9 Q. It says also I will not be able  
10 to take the test.

11 Why is that?

12 A. If they issue a failing grade  
13 before I take the test from the registrar's  
14 office.

15 Q. You will not be able to take  
16 the test if they issue a failing grade in the  
17 AICM course?

18 A. From the registrar's office,  
19 yes.

20 Q. What do you mean from the  
21 registrar's office?

22 A. If I get a transcript with a  
23 failing grade I will not be able to take the  
24 USMLE step I.

25 Q. Why were they withdrawing their

1 A. DASRATH

2 sponsorship of you to take this test?

3 A. They were holding back the AICM  
4 grade.

5 Q. They were holding the back?

6 A. Yes.

7 Q. But you knew about the grade  
8 from the web site; is that correct?

9 A. That wasn't an official grade.

10 Q. Paragraph six says I wish to  
11 enroll in the school and have the defendant  
12 respond to me for the USMLE exam.

13 Did you ever communicate that  
14 wish to the school?

15 A. That is why I was talking to  
16 Dr. Perri.

17 Q. Did you reapply?

18 A. I have to -- I don't reapply.  
19 How do I reapply? I'm waiting for them to  
20 give me my grade. I don't have a grade yet.

21 Q. But you were told that you  
22 failed the AICM course?

23 A. This was posted on an  
24 unofficial site.

25 Q. In paragraph eight, it says the

1 A. DASRATH

2 document attached to this motion show I was  
3 wrongfully withdrawn from defendant's  
4 school.

5 When were you withdrawn from  
6 the school?

7 MR. COSTELLO: You have the  
8 documents attached to this motion.

9 MS. McLAUGHLIN: I don't have  
10 it before me, but if he recalls when he  
11 was withdrawn.

12 A. I was withdrawn on June 29th,  
13 2006.

14 Q. Was that an administrative  
15 withdrawal?

16 A. On June the 29th, 2006 it was  
17 an administrative withdrawal, yes.

18 Q. And does that prevent you from  
19 sitting for the USMLE step I exam?

20 A. To my knowledge, no.

21 Q. It does not?

22 A. No.

23 Q. Do you have to be sponsored in  
24 order to take the USMLE step I exam by Ross  
25 University?

1 A. DASRATH

2 A. Yes.

3 Q. And you were not being  
4 sponsored at that time; is that correct?

5 At the time of this affidavit I  
6 should say; is that correct?

7 A. Well, the regulation says  
8 withdrawn may take or retake the board.

9 Q. Are you talking about the  
10 handbook?

11 A. Yes.

12 MS. McLAUGHLIN: Let's mark the  
13 handbook.

14 (Whereupon, the aforementioned  
15 handbook was marked as Defendant's  
16 Exhibit P for identification, as of  
17 this date, by the Reporter.)

18 Q. I marked as Defendant's Exhibit  
19 P is the Ross University School of Medicine  
20 Students handbook of academic rules and  
21 regulations, May 2006.

22 Mr. Dasrath, have you reviewed  
23 this document?

24 A. Yes.

25 Q. Have you seen this before?

1 A. DASRATH

2 A. Yes.

3 Q. And these were the regulations  
4 you referred to in the answer to the last  
5 question?

6 A. Yes.

7 Q. I direct your attention to page  
8 fourteen.

9 In the last paragraph it says  
10 that students administratively withdrawn and  
11 have not passed the USMLE on their first or  
12 second attempts may request to be sponsored  
13 to take or retake the USMLE, is that the  
14 paragraph that you are referring to?

15 A. And I'm also referring to page  
16 nine which says that students remain  
17 registered after the AICM course for the next  
18 seventeen weeks.

19 So, the remainder of that  
20 sentence where it says student on  
21 administrative leave withdrawn may request to  
22 be sponsored to take or retake the USMLE  
23 through a process of application made through  
24 the university's admission office?

25 A. Yes.

1 A. DASRATH

2 Q. Did you reapply at any point  
3 through today?

4 A. I was blocked as of August the  
5 14th and did not reapply to retake the USMLE  
6 step I.

7 Q. Why were you blocked?

8 A. The school sent a letter to the  
9 USMLE blocking the release of my score.

10 Q. So, you actually sat for the  
11 exam even though you weren't sponsored to  
12 take the exam?

13 A. I was sponsored to take the  
14 exam.

15 Q. You were sponsored by Ross  
16 University?

17 A. Yes.

18 Q. Your affidavit that we just  
19 went over earlier said that Ross withdraw its  
20 sponsorship for you to take the exam?

21 A. In the administrative  
22 withdrawal letter it does not state that Ross  
23 withdraw it's sponsorship to take the exam.

24 Q. But if you aren't enrolled in  
25 the University can you sit for the USMLE



1 A. DASRATH

2 exam?

3 A. None of the students taking the  
4 exam were enrolled at the time.

5 Q. Is that your page nine you are  
6 referring to?

7 A. Yes.

8 Q. Let's take a look at page  
9 nine. And there is the course handbook under  
10 clinical science segment that says following  
11 the twelve-week AICM there is a  
12 seventeen-week scheduled break.

13 Is that what you are referring  
14 to?

15 A. Yes.

16 Q. Despite the letter announcing  
17 administrative withdrawal, you believe you  
18 were on a break during that seventeen-week  
19 period?

20 A. I was on a break.

21 Q. And you were not  
22 administratively withdrawn when you sat for  
23 the USMLE in July of 2006?

24 A. The letter never said -- the  
25 letter never mentioned anything that they

1 A. DASRATH

2 withdrew their sponsorship for the USMLE.

3 MS. McLAUGHLIN: Let's break  
4 for lunch at this time.

5 (Whereupon, a luncheon recess  
6 was taken.)

7 AFTERNOON SESSION.

8 MS. McLAUGHLIN: Back on the  
9 record.

10 Let's mark this document,  
11 please.

12 (Whereupon, the aforementioned  
13 letter was marked as Defendant's  
14 Exhibit Q for identification, as of  
15 this date, by the Reporter.)

16 Q. I would like you to take a look  
17 at what has been marked as Defendant's  
18 Exhibit Q is a letter dated June 29th, 2006  
19 from Ross specifically from Michael Rendon.

20 Have you seen this letter  
21 before?

22 A. Yes.

23 Q. Did you see it on or about June  
24 29th, 2006?

25 A. Shortly thereafter.

1 A. DASRATH

2 Q. The first line of it says I  
3 regret to inform you that effectively  
4 immediately I have been effectively withdrawn  
5 from the Ross School of Medicine.

6 Do you see that?

7 A. Yes.

8 Q. And after this letter was  
9 received you sat for USMLE exam, is that  
10 correct?

11 A. Yes.

12 Q. Was it a requirement to first  
13 take the USMLE exam that you be enrolled in  
14 Ross University at time of exam?

15 A. I was never informed of that.

16 MS. McLAUGHLIN: We will mark  
17 another exhibit.

18 (Whereupon, the aforementioned  
19 letter was marked as Defendant's  
20 Exhibit R for identification, as of  
21 this date, by the Reporter.)

22 Q. I would like you to take a look  
23 at what has been marked as Exhibit R is an  
24 August 16th, 2006 letter to Mr. Dasrath from  
25 someone from ECFMG, specifically William

1 A. DASRATH

2 Kelly.

3 In this letter of August 16th  
4 advices Mr. Dasrath that ECFMG is not  
5 releasing your score report for the USMLE  
6 step one that was taking on July 27th, 2006;  
7 is that correct?

8 A. Yes.

9 Q. Had you had correspondence with  
10 ECFMG prior to August 16th, 2006?

11 A. I believe this is the first  
12 time I get correspondence.

13 Q. Did you contact them prior to  
14 August 16th, 2006 other than sitting for the  
15 exam?

16 A. No.

17 Q. And the second paragraph says  
18 USMLE and ECFMG policy requires a medical  
19 school student to be enrolled in medical  
20 school both at the time the individual  
21 applies for the exam and at the time the  
22 individual takes the exam.

23 Do you see that in the  
24 letter?

25 A. Yes.

147

1 A. DASRATH

2 Q. At the time that you applied  
3 for the exam, were you enrolled in the  
4 University?

5 A. I wasn't enrolled for courses  
6 in the University, but I was enrolled to do  
7 the board, the USMLE step I.

8 Q. At the time you sat for the  
9 exam or at the time that you took the exam,  
10 were you enrolled in the University?

11 A. No.

12 Q. And you weren't aware of this  
13 policy of USMLE the ECFMG, that you been  
14 required to be enrolled at University as the  
15 time?

16 A. No.

17 Q. Have you ever received the  
18 ECFMG information booklets?

19 A. I don't recall that.

20 Q. This letter says that if your  
21 eligibility for an exam changes after you  
22 apply, but before you take the exam you must  
23 inform ECFMG immediately.

24 Did you ever inform them of the  
25 failing grade in the AICM grade?

1 A. DASRATH

2 A. I didn't until August 16th,  
3 2006.

4 Q. Because that was of your  
5 transition?

6 A. Yes.

7 Q. Did you tell them about the  
8 letter of administrative withdrawal of June  
9 29th, 2006?

10 A. No.

11 Q. Also ask that you write to them  
12 to provide an explanation of why you took the  
13 USMLE step I when you weren't enrolled as a  
14 medical school student.

15 Did you ever write to them and  
16 explain that?

17 A. I didn't write. Maybe the  
18 lawyer at the time.

19 Q. Did you see a letter to Mr.  
20 Kelly or somebody at ECFMG responding to this  
21 letter?

22 A. I don't recall.

23 MS. McLAUGHLIN: I would  
24 request a copy of any correspondence  
25 with ECFMG.

1 A. DASRATH

2 MR. COSTELLO: To the extent  
3 that we have them.

4 MS. McLAUGHLIN: To the extent  
5 that you have them.

6 Q. Have you ever had any  
7 conversation by phone or otherwise with  
8 anybody from ECFMG since you took the test?

9 A. Yes.

10 Q. Do you have letters reflecting  
11 those conversations or e-mails?

12 A. I have to check. I have to  
13 look around. I'm not sure.

14 MS. McLAUGHLIN: Another  
15 request for that.

16 MR. COSTELLO: You will  
17 follow-up all requests in writing.

18 MS. McLAUGHLIN: I will.

19 Q. Do you recall what those  
20 conversations were about? Did they have to  
21 do with release of your score?

22 A. Yes.

23 Q. And did she ever release your  
24 score?

25 A. No.

150

1 A. DASRATH

2 Q. Did you ask them for any other  
3 information?

4 A. I don't recall.

5 MS. McLAUGHLIN: Mark this,  
6 please.

7 (Whereupon, the aforementioned  
8 affidavit in opposition was marked as  
9 Defendant's Exhibit S for  
10 identification, as of this date, by the  
11 Reporter.)

12 Q. I show you what has been marked  
13 as Exhibit S as an affidavit in opposition in  
14 case of Anand Dasrath versus Ross University  
15 in the Supreme Court, County of Queens.

16 It appears to be Mr. Dasrath's  
17 affidavit. Have you read that affidavit?

18 MR. COSTELLO: In its  
19 entirety?

20 MS. McLAUGHLIN: Has he had a  
21 chance to read it?

22 Q. Take your time. Have you had a  
23 chance to read the affidavit?

24 A. Yes.

25 Q. On page five is that your



1 A. DASRATH

2 signature from October 25th, 2006?

3 A. Yes.

4 Q. Do you recall signing this  
5 affidavit at the time that it was signed?

6 A. Yes.

7 Q. On page one, paragraph three it  
8 says that defendant is wrongly claiming I was  
9 not enrolled as a medical student when I took  
10 the exam.

11 Can you explain the basis of  
12 that statement?

13 A. Administrative letter issued on  
14 June the 29th, 2006 specifically states that  
15 if the student is registered for the board,  
16 this is a requirement for a student to be  
17 enrolled in Ross.

18 Q. The letter from June 29th we  
19 have here. Exhibit Q.

20 Can you point to the language  
21 that you were just referring to?

22 A. In order for a student to  
23 remain enrolled with RUSM, they must either  
24 be registered for courses and/or registered  
25 for the board. I was registered for the

1 A. DASRATH

2 board at time.

3 Q. So, you believe that this, that  
4 you were actually enrolled in the medical  
5 school despite Exhibit Q, the letter?

6 A. I was enrolled in the USMLE for  
7 the board.

8 Q. Once a student it says becomes  
9 inactive, they are administrative withdrawn  
10 from RUSM?

11 A. I was enrolled in the USMLE to  
12 take the board. That is what the letter is  
13 saying if you are enrolled with the board you  
14 are a student.

15 Q. But this says you are no longer  
16 eligible for the board because you have been  
17 administratively withdrawn?

18 This does not say that but the  
19 ECFMG regulation states that you have to be  
20 enrolled at the school in order to be  
21 eligible to take the board.

22 You believe because you applied  
23 to take the board you were officially  
24 enrolled at the school?

25 A. I was officially certified by

1 A. DASRATH

2 Ross University to take the board.

3 Q. At the time that you took the  
4 board, were you enrolled at the school?

5 A. That is what it is saying.  
6 That if you are enrolled with the board, you  
7 are enrolled with the school.

8 Q. So, you didn't believe that you  
9 were administratively withdrawn?

10 A. The letter has tremendous  
11 amount of flaws.

12 Q. Did you register for classes at  
13 any other point? Did you return to  
14 campus?

15 A. I finished everything. I  
16 didn't have to return.

17 Q. So, after April 7th, 2006 you  
18 never returned to campus; is that correct?

19 A. I finished the Dominica campus  
20 in December 2005 and never returned and don't  
21 have to return. I finished all campus work.

22 Q. And you didn't return to Miami  
23 after April 7th, 2006, correct?

24 A. I was never invited to return,  
25 I was never pre-registered to return, I was

1 A. DASRATH

2 ever asked to return. I don't  
3 pre-registration. Ross does  
4 pre-registration. I pay a bill when they  
5 send me a bill.

6 Q. Do you believe you should have  
7 passed the AICM course?

8 A. Yes.

9 Q. But you failed; is that  
10 correct?

11 A. That is not correct.

12 MR. COSTELLO: Are you  
13 referring to a specific part of Exhibit  
14 S?

15 MS. McLAUGHLIN: No, I'm just  
16 asking him a question.

17 A. I received the failing grade.

18 Q. But you believe you should have  
19 passed, is that right?

20 A. Yes.

21 Q. Did Dr. Fernandez ever demand  
22 that you pay him \$10,000?

23 A. He told me in that one  
24 conversation to return on campus with  
25 \$10,000.

1 A. DASRATH

2 Q. What conversation?

3 A. The very one conversation I had  
4 with him that he manipulated and sent to the  
5 Supreme Court.

6 Q. I'm sorry, the one conversation  
7 is that April 24th, 2006?

8 A. Yes.

9 Q. That memorandum that we  
10 discussed earlier?

11 A. Yes.

12 Q. And we discussed that  
13 conversation, you didn't mentioned that he  
14 asked you for \$10,000?

15 A. You didn't ask.

16 Q. I asked you everything that was  
17 discussed during that conversation.

18 A. I recall it now you brought it  
19 up.

20 Q. And what did he say to you in  
21 regard to the \$10,000?

22 A. He wanted me to come there in  
23 Miami on a specific date with \$10,000.

24 Q. What date?

25 A. I believe it was May the 22nd.

1 A. DASRATH

2 I am not sure of the date now.

3 Q. And what would the \$10,000 be  
4 for?

5 A. I have no clue.

6 Q. Did you discuss tuition?

7 A. Absolutely not.

8 Q. So, he said to come to Miami on  
9 May 22nd --

10 A. Come to his office.

11 Q. Come to his office on May 22nd  
12 with \$10,000?

13 A. Yes.

14 Q. And that's all that was said or  
15 was there anything else said in that  
16 conversation?

17 A. I don't recall any other  
18 conversation.

19 Q. What was your response?

20 A. I did not respond to it.

21 Q. Did you report that to  
22 anyone?

23 A. I don't recall reporting it to  
24 anyone.

25 Q. Did you discuss it with anyone

1 A. DASRATH

2 at any time?

3 A. I don't recall discussing it.

4 Q. Paragraph eight, page three.

5 It says even assuming arguendo, that I did  
6 fail the AICM class that should not have  
7 prevented me from taking the USMLE step one  
8 according to the Ross student's handbook  
9 passing it, NBME comprehensive exam is the  
10 prerequisite for taking the step one exam.

11 Is that a true statement?

12 A. The NBME is the prerequisite  
13 for taking the USMLE step I.

14 Q. What does that mend  
15 prerequisite?

16 A. The first one is passing all  
17 the basic science courses in Dominica. The  
18 second prerequisite is passing the ACIM  
19 course in Miami. And the third prerequisite  
20 in that order is passing the NBME, as stated  
21 in that handbook on page thirty.

22 Q. In this affidavit on the next  
23 page where you say on the merits of my NBME  
24 score I was fully eligible to take the USMLE  
25 step I exam.

1 A. DASRATH

2 Is that despite if you failed  
3 as you said earlier the AICM course?

4 A. I did not receive a failing  
5 grade in the AICM course. It is not logical  
6 that I would have received a failing course,  
7 a failing grade in AICM course.

8 The AICM course is a  
9 prerequisite for the NBME.

10 Q. The AICM is a prerequisite to  
11 take?

12 A. It precedes the NBME.

13 Q. I thought you said you took  
14 that in March of 2006?

15 A. Yes.

16 Q. How is the AICM a prerequisite  
17 for the NBME?

18 A. It was approved by Dr.  
19 Fernandez and I was given special permission  
20 for taking it. The real date for taking it  
21 was April 27th of 2006. The scheduled date  
22 for taking the NBME was April the 27th. I  
23 was given special permission to take it on  
24 March the 6th, 2006.

25 Q. But you also have to pass the



1 A. DASRATH

2 AICM course to take the USMLE step I; is that  
3 correct?

4 A. Yes, and this is done by Dr.  
5 Fernandez who approved the application  
6 form. He gave me the application form, he  
7 approved it, checked all his records and he  
8 forwarded it to the New Jersey office.

9 Q. The application for what?

10 A. The application for the USMLE  
11 step I and the application for the NBME.

12 MS. McLAUGHLIN: I'm going to  
13 mark the amended complaint.

14 (Whereupon, the aforementioned  
15 amended complaint was marked as  
16 Defendant's Exhibit T for  
17 identification, as of this date, by the  
18 Reporter.)

19 Q. Before we go through the  
20 amended complaint I just want to clarify and  
21 just make sure we are all on the same page.

22 Mr. Dasrath, you are aware of  
23 an order of this court dismissing some of  
24 causes of action in the amended complaint?

25 A. Yes.

1 A. DASRATH

2 Q. And the only cause of action  
3 that is still viable is the breach of  
4 contract clause of action?

5 A. Yes.

6 Q. To the extent that I'm going to  
7 question you about the amended complaint, I'm  
8 going to focus my questions on the breach of  
9 contract claim.

10 A. Okay.

11 Q. I just wanted you to understand  
12 where we will go with this document.

13 A. Okay.

14 Q. In the amended complaint, the  
15 second cause of action is a breach of  
16 contract claim.

17 Is on page five of eight at the  
18 top. In this cause of action you identified  
19 or you suggest that Ross has breeched a  
20 contract.

21 Can you identify what contract  
22 that is?

23 A. Ross University School of  
24 Medicine handbook on administrative  
25 regulations, the Ross University letter of

1 A. DASRATH

2 admission, the two certifications that Ross  
3 issued to take the USMLE step I exam. There  
4 are probably more.

5 Q. Let's start with the letter of  
6 admission. I think it was one of the first  
7 documents that we looked at, Exhibit A.

8 You are alleging in this  
9 lawsuit that Ross University breeched this  
10 letter; is that correct?

11 A. Yes.

12 Q. And what agreement was provided  
13 by this letter that you allege?

14 A. When a student gets admitted,  
15 officially admitted into a school, a  
16 university, the university has an obligation  
17 after receiving so much money as I paid, to  
18 do its business in a regular fashion.

19 I went there to pay -- I paid  
20 my tuition, studied and I didn't deserve to  
21 be treated this way where they blocked my  
22 obtaining my M.D., blocked the release of my  
23 score. I thought that was very unfair.

24 Q. Are there any provisions in  
25 that letter that have been breeched or just

1 A. DASRATH

2 generally what you discussed here?

3 A. It's my opinion that this  
4 letter gives me the basic right to proceed  
5 with my degree and complete it.

6 That is why I paid them so much  
7 money. That seems to be my intention for  
8 going there, but I was blocked.

9 Q. When you said earlier that you  
10 didn't deserve to be treated this way, can  
11 you explain what you mean?

12 A. I have suffered a long time  
13 waiting for my USMLE score. I have been out  
14 of medical school, while some of my  
15 classmates are practicing.

16 Q. Are there any other ways that  
17 you were treated that you contend is a breach  
18 of this admission letter?

19 You said blocked obtaining the  
20 score and blocked obtaining your M.D., is  
21 that right?

22 A. Yes.

23 Q. Are there any other items?

24 A. Yes, I don't agree with them  
25 giving me such a hard time to process my

1 A. DASRATH

2 grades. Every semester there was a problem  
3 with grades.

4 Q. And those were the items that  
5 we talked about earlier?

6 A. Yes.

7 Q. You also said there was a  
8 breach of the handbook?

9 A. Yes.

10 Q. Do you remember what provision  
11 specifically were briefed of can you speak to  
12 them generally?

13 A. Yes.

14 Q. Do you want to take a look at  
15 the handbook?

16 A. On page four it says effective,  
17 all rules and regulations in this handbook  
18 are binding and I thought they would respect  
19 that, but it was not respected. Page five to  
20 six, it shows you the grading procedure that  
21 should have been used for the AICM course,  
22 but it wasn't adhered to.

23 On page nine I was entitled for  
24 my seventeen week scheduled break without  
25 being traumatized, psychologically

1 A. DASRATH

2 traumatized with the withdrawal letters and  
3 all the other things that they did. Other  
4 students had their seventeen week break. I  
5 had a very hard time.

6 On page thirteen it states the  
7 students became eligible to take a USMLE step  
8 I when they have passed all courses in the  
9 basic science curriculum.

10 Students become eligible to  
11 take the USMLE step I when they have passed  
12 all courses in the basic science curriculum  
13 successfully completed the advanced  
14 introduction to clinical medicine,  
15 integration clinical medicine, and have  
16 passed the NBME comprehensive science exam.

17 Q. You thought that was a  
18 provision that was breached?

19 A. Yes.

20 Q. Because why?

21 A. Because I get to the point  
22 where I passed the NBME and I was invited, I  
23 was congratulated and invited by Ms. Bridget  
24 to apply for a part of the USMLE part one.

25 I then went to Dr. Enrique

1 A. DASRATH

2 Fernandez who give me an application for him,  
3 I give him the application form and he  
4 checked all his records to make sure  
5 everything was okay to take the USMLE step  
6 I.

7 I took the USMLE step I and the  
8 day before the grade was released, Bridget  
9 Seena turned around and blocked my release by  
10 stating in a letter to the USMLE no longer  
11 eligible, withdrawn. That was a direct quote  
12 from Bridget Seena's letter to the USMLE and  
13 since then I haven't seen my score yet.

14 On page fourteen there is  
15 provision for Ross to sponsor students for  
16 the USMLE even though they are withdrawn.

17 It is stated here that students  
18 may retake the USMLE even though they are  
19 withdrawn but Ross turned around and blocked  
20 the release of my score from the USMLE.

21 Q. Do you have to do anything  
22 further? They say they, my sponsors to take  
23 or retake the USMLE.

24 That is a binding agreement  
25 that they have to sponsor you?

1 A. DASRATH

2 MR. COSTELLO: Where are you  
3 reading from, counselor?

4 MS. McLAUGHLIN: Page  
5 fourteen.

6 A. Page four of the Ross  
7 University School of Medicine Students  
8 handbook states, specifically states that  
9 this handbook is binding.

10 Q. Right.

11 A. But the idea that you are  
12 referring to page fourteen where it says  
13 students may request to be sponsored or to  
14 retake the USMLE.

15 Q. But does that require them to  
16 sponsor you?

17 A. They have already sponsored,  
18 certified me.

19 Q. Did you go through the process  
20 of re-application that is required in order  
21 for that request?

22 A. I applied twice and both times  
23 it was --

24 Q. Re-application through the  
25 University admission office?



1 A. DASRATH

2 A. I can't do that yet until I get  
3 the first score. I haven't gotten the first  
4 score yet.

5 Q. You mean the USMLE score?

6 A. The USMLE score. Page eighteen  
7 it says that students in the clinical phase  
8 of the curriculum registered through the  
9 office of the dean of clinical sciences in  
10 New Jersey.

11 And then turn around and tell  
12 me that I didn't apply for registration. It  
13 is New Jersey, the office in New Jersey that  
14 does registration for courses.

15 I simply pay a bill. I don't  
16 have access to their computers. I never  
17 did.

18 Q. I'm not understanding. Page  
19 eighteen there is a statement that students  
20 register through the office in New Jersey?

21 A. Yes.

22 Q. And you are saying that Ross  
23 breached that provision by how?

24 A. Ross stated that I didn't show  
25 up to campus in Dominica. One of the reasons

1 A. DASRATH

2 why they are withdrawing me.

3 I don't have to show up in  
4 Dominica. In a different pay. I'm in a  
5 clinical phase. Those in the basic science  
6 show up at Dominica within one week of start  
7 up. Not me.

8 Q. When you failed the AICM you  
9 were supposed to show up in Dominica?

10 A. You claim that I fail the  
11 AICM. I didn't say that. I told you they  
12 gave me failing grade on August the 14th.

13 On page twenty-three it  
14 specifically states that students are  
15 withdrawn when they do not return to the  
16 campus the following semester.

17 I don't have to return to the  
18 campus. I finished all campus work.

19 Q. Okay. Are those the only  
20 provisions of this handbook that you believe  
21 were breached by Ross?

22 A. More, more. On page  
23 twenty-five the University, it states, on  
24 page twenty-five it states the University  
25 follows the guidelines of the U.S. Family

1 A. DASRATH

2 Educational Rights and Privacy Act.

3 In quotation Ferpa and this  
4 includes the right to inspect and review the  
5 student's educational records within  
6 forty-five days that the University request,  
7 receives a request.

8 I haven't yet seen what Ross is  
9 claiming that I failed. Despite the fact  
10 that Judge Reyes.

11 MS. McLAUGHLIN: I'm going to  
12 strike that part from the record  
13 because there seems to be some  
14 confusion of the settlement discussion  
15 I was privy to before Judge Reyes.

16 It is not a factual statement  
17 that can be made in this deposition.

18 If you want I can discuss it  
19 with you off the record because I know  
20 you weren't involved at that point.

21 MR. COSTELLO: I was unaware,  
22 you are saying that this took place on  
23 settlement discussions?

24 MS. McLAUGHLIN: Yes, and it is  
25 Dr. Perri's memo it says for resolving

1 A. DASRATH

2 purposes.

3 MR. COSTELLO: We can discuss  
4 this later then.

5 MS. McLAUGHLIN: That is fine.

6 Q. Is there anything else besides  
7 that last provision you pointed to on page  
8 twenty-five in the handbook?

9 A. Yes. You do not discriminate  
10 on page, in your calendar you do not, it says  
11 you do not discriminate because of age and  
12 several other things, but this is what I  
13 incurred all through my studies in Dominica.  
14 This is what I incurred in Miami. This is  
15 what I'm still enduring.

16 Q. So, it is a breach of the  
17 calendar?

18 A. Yes.

19 Q. That is the document that you  
20 are referring to.

21 Have you ever had any  
22 conversations with Tony Ayubia concerning  
23 your allegations against Ross?

24 A. Yes, I called Tony, yes.

25 Q. What kind of conversations have

1 A. DASRATH

2 you had with him?

3 A. I asked him to speak to Mr.,  
4 Dr. Enrique Fernandez.

5 Q. When was this?

6 A. Sometime late April 2006.

7 Q. What did he say to you?

8 A. He keep telling me that Dr.  
9 Fernandez is not available.

10 Q. Did you ever hear anything  
11 further from Tony Ayubia on any of these  
12 issues?

13 A. No. I don't recall. Say I  
14 don't recall.

15 Q. Other then the items that we  
16 spoke about are there any other agreement  
17 that Ross University purportedly had with you  
18 that they breached?

19 A. As I remember there are more,  
20 but I do not have the answer to the  
21 interrogatory.

22 Q. Would that help you if I showed  
23 you that?

24 A. Yes, that would help me.

25 MS. McLAUGHLIN: Let's mark the

1 A. DASRATH

2 interrogatories as the next exhibit.

3 (Whereupon, the aforementioned  
4 interrogatories was marked as  
5 Defendant's Exhibit U for  
6 identification, as of this date, by the  
7 Reporter.)

8 A. When I said the calendar I  
9 actually meant the academic catalog.

10 Q. Okay, we have a copy of that.  
11 And that item was breached as you say because  
12 of a discrimination claim that you had?

13 A. Yes.

14 Q. Looking at your interrogatories  
15 responses, I actually had a question on  
16 number ten.

17 In part, interrogatory ten,  
18 part B, you state that release of your score  
19 was barred on October 9th, 2009.

20 What happened on October 9th,  
21 2009 with USMLE?

22 A. Okay. I had other intention  
23 rather than saying release of a score. All  
24 I'm saying, prior to this on August the 14th,  
25 2006 Bridget Seena sent in a statement saying

1 A. DASRATH

2 no longer eligible, withdrawn?

3 Q. Right.

4 A. That in effect blocked the  
5 release of my score, which was supposed to be  
6 released the next day and I didn't get it  
7 yet.

8 Q. Did something happen on October  
9 9th?

10 A. October 9th, 2009 the USMLE  
11 office barred me. There was a bar from  
12 taking any more examination until I could  
13 clear myself with all the Court Orders.

14 So, I am right now barred or  
15 blocked or whatever you call it from making  
16 any application to the USMLE.

17 Q. Did you apply again to take the  
18 exam?

19 A. No.

20 Q. Did you have contact with the  
21 USMLE or ECFMG?

22 A. Yes.

23 Q. How did you have contact with  
24 them, by letter?

25 A. By letter, yes.

1 A. DASRATH

2 Q. And do you have copies of those  
3 letters?

4 A. I'm pretty much sure, yes.

5 Q. And on October 9th, 2009, did  
6 they write something to you that barred  
7 you?

8 A. They wrote a letter, yes,  
9 stating that I may not take or apply for  
10 USMLE exams.

11 Q. Is that all it said? Why did  
12 it say that? Why did they explain --

13 A. Because Bridget Seena sent a  
14 statement to them saying no longer eligible,  
15 withdrawn.

16 MS. McLAUGHLIN: I would like  
17 to have a copy of that October 9th,  
18 2009 letter.

19 MR. COSTELLO: As to the extent  
20 we have.

21 Q. Did you receive any other  
22 letters from either USMLE or ECFMG after  
23 October 9th, 2009?

24 A. Yes.

25 Q. And what did those letters



1 A. DASRATH

2 say?

3 A. That I have to wait until the  
4 court case is finished.

5 Q. Have you provided them any  
6 information concerning this action?

7 A. Yes. I told them this is, you  
8 know, this is not right what they are doing.

9 They put me on hold until the  
10 case is finished.

11 Q. Did you provide any  
12 documents?

13 A. Yes.

14 Q. What documents?

15 A. The same I provided you.

16 Q. Do you know specifically what  
17 you sent them?

18 A. I cannot remember right now.

19 MS. McLAUGHLIN: I would also  
20 request copies of whatever documents  
21 that were produced.

22 Q. Have you heard any  
23 correspondence from them since October 9th,  
24 2009?

25 A. There was a correspondence that

1 A. DASRATH

2 says they are waiting for a case to finish.  
3 So I'm still on hold. I didn't get my score  
4 and I can't do any business with them. I'm  
5 just on hold.

6 Q. Your interrogatories while we  
7 are on this document, number thirteen, you  
8 set forth your claimed damages sought in this  
9 action.

10 You list items that you are  
11 seeking recovery from; is that correct?

12 A. Yes.

13 Q. Is this amount solely for the  
14 the breach of contract or for the other  
15 claims in the amended complaint?

16 A. For the breach of contract.

17 Q. So, for is breach of contract  
18 claim you are claiming \$165,000; is that  
19 correct? That is the first one. I know  
20 there is more.

21 A. For schooling 165,000.

22 Q. How did you come to that  
23 number?

24 A. This is money that I spent for  
25 tuition and fees for dormitory housing, books

1 A. DASRATH

2 and supplies, air fare from New York to  
3 Dominica and back, from New York to Miami and  
4 back, ground transportation in Miami where  
5 there is no subway?

6 Relocation, just as it says  
7 here and other living expenses.

8 Q. Have you produced any  
9 documentation supporting these numbers?

10 A. Nobody requested them.

11 Q. I think I did actually. I  
12 refer you to number eleven.

13 MR. COSTELLO: We will provide  
14 those.

15 MS. McLAUGHLIN: I request it  
16 on the record and I will follow up, we  
17 need any documentation that supports  
18 your calculations.

19 Q. Your attorney fees and you  
20 calculate that by what you paid to your  
21 attorneys representing you?

22 A. That is more now because I have  
23 been paying since that time.

24 Q. What is that number?

25 MR. COSTELLO: He may have to

1 A. DASRATH

2 go back and check his records. We will  
3 supply it.

4 Q. Lost wages and benefits?

5 A. For the time I've been at Ross  
6 I have lost an amount of money I could have  
7 been working and earning a living.

8 Q. How did you calculate the  
9 \$360,000?

10 A. From the time I went to Ross to  
11 the time I restarted work, I calculate that  
12 based on the past salary I was making.

13 Q. If you had never went to Ross  
14 that is how this is calculated?

15 A. Yes.

16 Q. Because you left to go to  
17 school full-time?

18 A. Yes.

19 MS. McLAUGHLIN: I will need  
20 documentation supporting that.

21 Q. Loss of profession.

22 What does that mean?

23 A. I lost my MD degree.

24 Q. Mental anguish and distress?

25 A. Like I am feeling right now.

1 A. DASRATH

2 Q. Have you seen a doctor  
3 concerning the anguish and --

4 A. I seen them a number of times.

5 Q. What are their names?

6 A. I went to Dr. Kevin Ackerman.

7 Q. Where is he located?

8 A. In Nassau County. He used to  
9 be on Northern Boulevard but he recently  
10 move.

11 Q. Is he a general practitioner or  
12 a specialist?

13 A. I think he is a specialist,  
14 yes.

15 Q. For what?

16 A. For internal medicine.

17 Q. And you go to see him for  
18 what?

19 A. For medical problems.

20 Q. Are any of those problems  
21 related to your allegation in this lawsuit?

22 A. I just go to see him for  
23 medical problems.

24 Q. Are you suffering medical  
25 problems related to the issues in this

1 A. DASRATH

2 lawsuit?

3 A. I have intense stress. The  
4 lawsuit brought a lot of intense stress.

5 Q. Anything else?

6 A. Whatever is stated here.

7 Q. Can you explain your seeking  
8 damages for the disappointment to family  
9 members.

10 Can you explain what that  
11 relates to?

12 A. They were very disappointed.

13 Q. And there is no monetary number  
14 attached to that?

15 A. We haven't done that yet.

16 Q. How about being ostracized by  
17 Ross University.

18 Can you explain what that  
19 means?

20 A. I think I was treated like  
21 garbage.

22 Q. By who?

23 A. The whole Ross community.

24 Q. Are you talking students,  
25 staff?

1 A. DASRATH

2 A. I'm talking about the staff.  
3 The administrative staff.

4 Q. Okay.

5 A. Their professors.

6 Q. Other than being treated like  
7 garbage by those individuals, are there any  
8 other claims for damages concerning being  
9 ostracized?

10 A. Well, they blocked me from  
11 proceeding with my degree, my M.D. degree and  
12 that ultimately created a lot of mental  
13 anguish, psychological stress, things of that  
14 nature.

15 Q. How did they block you from  
16 obtaining your degree?

17 A. They block the release of my  
18 score.

19 Q. After receiving your AICM score  
20 in August of 2006, was it your understanding  
21 that you would have needed to retake the  
22 class?

23 A. There was no indication until  
24 August the 14th when Ross registrar sent a  
25 failing grade. All indication was that I

1 A. DASRATH

2 passed the course.

3 If I can't pass the course they  
4 wouldn't certify me to take the USMLE. That  
5 was the requirements to take the USMLE.

6 MS. McLAUGHLIN: You rely on  
7 certain document letters. I just want  
8 to make sure you produced all of them.

9 You rely on, according to this  
10 interrogatory response. Transcript  
11 which I think you produced so if you  
12 have any more I request production.  
13 E-mails from Ross University Medical  
14 officials you produced so if you have  
15 any more please produce them.

16 Any notes from phone  
17 conversation. Correspondence from the  
18 USMLE office or ECFMG, we discussed  
19 that and to produce those and any  
20 handouts that were relied upon in  
21 responses from Ross University and then  
22 you say it.

23 So, if there are any other  
24 documents, please produce them and we  
25 will follow it up.



1 A. DASRATH

2 MR. COSTELLO: Please follow it  
3 up in writing.

4 Q. You mentioned breach in this  
5 interrogatory number fifteen, we discussed  
6 most of them. Dr. Ronnie Coutinho?

7 A. Yes.

8 Q. What would he know about the  
9 allegation in the complaint regarding the  
10 breach of contract?

11 A. He was a professor there at  
12 Miami and I'm sure he knew what was going on  
13 at the time.

14 Q. Dr. Guiterrez we spoke about  
15 him earlier; is that correct?

16 A. Yes.

17 Q. Who is Michael Dunbar?

18 A. He was one of the doctors that  
19 taught in Miami.

20 Q. What would he know about  
21 this?

22 A. They know what was going on.  
23 They all knew what was going on.

24 Q. What do you mean by what was  
25 going on?

1 A. DASRATH

2 A. What goes on there. That they  
3 issued fraudulent failing grades to  
4 students.

5 Q. Dr. Thomas Havonic?

6 A. He was also one of the  
7 professors there.

8 Q. And does he know anything more  
9 then what you discussed about Dr. Dunn, the  
10 going on?

11 A. Yes, he knows what is going on.

12 Q. Barbara Troy?

13 A. She also knows what is going  
14 on. Mr. William Colly.

15 Q. Have you spoken with him  
16 personally?

17 A. Yes, I did have conversation  
18 with Kelly.

19 Q. What did you say to him?

20 A. I don't remember the details of  
21 the conversations.

22 Q. Do you remember what he told  
23 you?

24 A. I don't recall.

25 Q. Did you have any conversations

1 A. DASRATH

2 with Michael Rendin?

3 A. No.

4 Q. What would he know about your  
5 contract claims?

6 A. Oh, he sent out the ambiguous  
7 administrative withdrawal letter.

8 Q. Dr. Martin we discussed,  
9 right?

10 A. Yes.

11 Q. Who is Rosemarie Reardon?

12 A. That is one of Ross staff that  
13 received the congratulations letter stating  
14 that congratulations, you have passed your  
15 NBME exam and you can now take the USMLE step  
16 I.

17 Q. So, she received the e-mail as  
18 well?

19 A. Yes.

20 Q. Other than that did you have  
21 any conversations with her about this lawsuit  
22 or the allegations?

23 A. No.

24 Q. Have you had any conversations  
25 with Judy, Dr. Nancy Perez' secretary?

1 A. DASRATH

2 A. When I call she answers the  
3 phone.

4 Q. Did you talk to her anything  
5 substively concerning your claim?

6 A. I just ask to speak to Dr.  
7 Perri.

8 Q. Administration of Devry. Are  
9 you referring to anyone specifically?

10 A. No, I know that they look over  
11 all your work.

12 Q. Have you had communication with  
13 anyone at Devry, Inc.?

14 A. No.

15 Q. Is the lawyers that handled  
16 this case, are there any other lawyers other  
17 than those that appeared in court on this  
18 matter?

19 A. No.

20 Q. Claire Cramatta, is she Dr.  
21 Fernandez' assistant?

22 A. Yes.

23 Q. Did you have any conversations  
24 with her specifically?

25 A. Yes, I had conversation, but I

1 A. DASRATH

2 don't recall. I did ask her to let me speak  
3 to Dr. Fernandez, but she declined on a  
4 number of times.

5 Q. Did you talk to her substively  
6 about your claims in this case?

7 A. I didn't discuss my case with  
8 her. I did not.

9 Q. Tony Ayubia, we spoken about  
10 him?

11 A. Yes, he is also one of Dr.  
12 Fernandez' assistant. I talked to him.

13 Q. And classmates, were there any  
14 particular classmates that are knowledgeable  
15 about the claims in your lawsuit?

16 A. Not to my knowledge, but they  
17 know, they are all asking what happened. Why  
18 aren't you a doctor yet.

19 Q. Do you keep in touch with  
20 classmates now?

21 A. Not often.

22 Q. Are there any ones that you  
23 discussed this lawsuit with?

24 A. No.

25 Q. Have you discussed this lawsuit

1 A. DASRATH

2 with anybody other than who we discussed  
3 today and your lawyer obviously?

4 A. No.

5 Q. Have you ever been involved in  
6 a lawsuit other than this one?

7 A. Yes.

8 Q. What was that?

9 A. That was against Kings County  
10 Hospital.

11 Q. What did that relate to?

12 A. They had owed me money, but  
13 they paid me and it was settled. They had  
14 owed me overtime money.

15 Q. It was an employment issue?

16 A. Yes.

17 Q. This was prior to you going to  
18 Ross University?

19 A. Prior to going to New York  
20 Hospital.

21 Q. Were you deposed in that  
22 lawsuit?

23 A. I don't recall.

24 Q. Have you ever testified in  
25 court?

1 A. DASRATH

2 A. No. Other than when I come and  
3 watch what is going on.

4 Q. I mean testify on the witness  
5 stand.

6 A. No.

7 MS. McLAUGHLIN: Off the  
8 record.

9 (Whereupon, a discussion was  
10 held off the record.)

11 MS. McLAUGHLIN: I just have a  
12 couple of follow-up questions that I  
13 usually ask at the beginning, but I  
14 forgot to.

15 Q. Have you ever been arrested?

16 A. No.

17 Q. Convicted of a crime?

18 A. No.

19 Q. Are you under the influence of  
20 any drugs or alcohol today that would  
21 influence your ability to testify?

22 A. No.

23 Q. Have you ever been expelled  
24 from a school?

25 A. No.

1 A. DASRATH

2 Q. Suspended?

3 A. No.

4 Q. Dismissed?

5 A. No.

6 Q. Have you received failing  
7 grades from schools other than Ross  
8 University?

9 A. No.

10 Q. You never failed a class?

11 A. No.

12 Q. Are you taking classes now or  
13 just working at Stonybrook?

14 A. I'm just working.

15 Q. What do you do again?

16 A. I'm a pharmacist.

17

18

19 (Continued on the following  
20 page.)

21

22

23

24

25



191

1 A. DASRATH

2 Q. Have you taken any courses  
3 since you left Ross University in 2006?

4 A. The courses that I took were  
5 for pharmacy. Pharmacy courses to maintain  
6 my license.

7 MS. McLAUGHLIN: Thank you. I  
8 have no further questions.

9 (Time Noted: 2:20 p.m.)

10

11

ANAND DASRATH

12

13 Subscribed and sworn to  
14 before me this \_\_\_\_ day  
of \_\_\_\_\_, 2010.

15

Notary Public

16

17

18

19

20

21

22

23

24

25

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

I N D E X

WITNESS	EXAMINATION BY	PAGE
ANAND DASRATH	MS. McLAUGHLIN	4

E X H I B I T S

DEFENDANT'S	DESCRIPTION	PAGE
A	Document	13
B	Copy of transcript	20
C & D	E-mails	47
E	Transcript	57
F	E-mail	87
G	Memo	99
H	E-mail	111
I	Letter	115
J	Transcript	118
K	Letter	121
L	Letter	123
M & N	USMLE application	129
O	Affidavit	135
P	Handbook	140
Q	Letter	144
R	Letter	145
S	Affidavit in opposition	150

1

2

EXHIBITS : (Continued)

3

T Amended complaint 159

4

U Interrogatories 172

5

6

REQUESTS

7

Page Line

8

23 3

9

38 3

10

105 10

11

130 11

12

149 25

13

149 16

14

174 20

15

177 19

16

182 9

17

18

19

20

21

22

23

24

25

1

2

CERTIFICATION

3

STATE OF NEW YORK )

: SS.:

4

COUNTY OF KINGS )

5

6

I, GARY J. MEROLA, a Notary Public for

7

and within the State of New York, do hereby

8

certify:

9

That the witness(es) whose testimony as

10

herein set forth, was duly sworn by me; and

11

that the within transcript is a true record

12

of the testimony given by said witness(es).

13

I further certify that I am not related

14

to any of the parties to this action by blood

15

or marriage, and that I am in no way

16

interested in the outcome of this matter.

17

IN WITNESS WHEREOF, I have hereunto set

18

my hand this 4th day of October, 2010.

19

20

  
GARY J. MEROLA

21

22

23

24

25

<b>\$</b>	23 175:24	abuse [2] 45:19 74:4	141:17 143:11 147:25 154:7 157:6
\$10,000 [7] 154:22,25 155:14,21,23	2010 [2] 1:9 194:18	academic [3] 10:25 140:20 172:9	158:3,5,7,8,10,16 159:2 163:21 168:
156:3,12	20th [5] 2:5 4:12 130:5 131:13,17	acceptance [2] 13:8 14:11	8,11 181:19
\$165,000 [1] 176:18	22nd [13] 89:25 90:4,6 110:2,6 118:	accepted [1] 8:7	aimc [1] 92:21
\$360,000 [1] 178:9	23 119:3 125:22 126:8 131:23 155:	access [3] 56:3 78:7,10,11,20 79:8	air [1] 177:2
<b>1</b>	25 156:9,11	126:11 167:16	alcohol [1] 189:20
1/11/2006 [2] 57:21 58:11	23 [1] 193:8	accessed [3] 77:18,23 78:16	allegation [2] 179:21 183:9
10 [1] 193:10	23rd [3] 88:8 90:4 131:15	accomplish [1] 49:22	allegations [2] 170:23 185:22
100 [1] 105:8	24th [5] 100:2,15 108:5 112:12 155:	according [4] 51:4 103:3 157:8	allege [2] 21:7 161:13
105 [1] 193:10	7	182:9	alleged [1] 23:20
11 [1] 193:11	25 [1] 193:12	achieved [1] 110:13	alleging [1] 161:8
11427 [1] 4:13	25th [1] 151:2	acim [1] 157:18	allocated [3] 39:18,20,24 73:9,11
11th [2] 48:9 57:21	27th [5] 48:7 135:3 146:6 158:21,22	ackerman [1] 179:6	91:10,11 96:15
12th [3] 20:11 113:8 114:2 131:16	29th [7] 139:12,16 144:18,24 148:9	act [1] 169:2	allocates [1] 40:25
132:12 133:13	151:14,18	action [3] 159:24 160:2,4,15,18 175:	allow [1] 79:20
130 [1] 193:11	<b>3</b>	6 176:9 194:14	almeida [13] 46:13 48:21 49:8,11,
149 [2] 193:12,13	3 [3] 136:23 193:8,9	actually [3] 40:23 131:14 134:24	24 50:11,25 53:7 54:5,10 62:14,15,
14th [3] 76:16 98:21 142:5 168:12	30 [1] 1:9	142:10 152:4 172:9,15 177:11	18
172:24 181:24	30th [1] 124:6	added [1] 43:11	already [3] 19:3 27:21 67:22 68:17
159 [1] 193:3	31st [3] 121:17 122:11 123:18	address [1] 88:23	119:6 130:21 134:14 166:17
15th [3] 116:11,16 122:10	36 [2] 92:18 93:23	adhered [1] 163:22	although [2] 136:24 137:2
16 [1] 193:13	36/50 [1] 96:13	adjusted [1] 21:15	ambiguous [1] 185:6
165,000 [1] 176:21	38 [1] 193:9	administered [1] 41:8	amci [1] 103:10
16th [3] 145:24 146:3,10,14 148:2	3rd [2] 124:4,24	administering [1] 60:20	amended [3] 159:13,15,20,24 160:
172 [1] 193:4	<b>4</b>	administration [1] 186:8	7,14 176:15 193:3
174 [1] 193:14	4 [1] 192:4	administrative [10] 139:17 141:21	american [3] 73:25 74:2
177 [3] 1:15 2:9 193:15	4th [1] 194:18	142:21 143:17 148:8 151:13 152:9	among [1] 78:22
17th [1] 13:23	<b>5</b>	160:24 181:3 185:7	amount [3] 39:18 126:22 153:11
182 [1] 193:16	5/22/2006 [1] 118:13	administratively [4] 141:10 143:	176:13 178:6
19 [1] 193:15	50 [3] 91:13,14,23	22 152:17 153:9	anand [3] 1:13 4:10 85:20 100:11,
1957 [1] 133:13	5919 [1] 2:5	admission [3] 141:24 161:2,6 162:	19,25 121:19 150:14 192:4
1977 [1] 6:18	5th [4] 113:25 130:3 131:25 134:20	18 166:25	anatomy [24] 17:8,9 36:13,21 37:3,
1983 [2] 7:15,25	<b>6</b>	admissions [1] 12:6	9,15 39:4,21 40:4,13 41:9 42:11,19
1990 [2] 9:13,14	62 [4] 88:9,11,13,17	admitted [2] 161:14,15	43:3 47:17 49:12,18 50:17 51:16
19th [1] 136:10	63 [2] 101:4 102:12	admnistrative [1] 139:14	52:20 53:24 54:5,11
<b>2</b>	6th [2] 128:6 158:24	advanced [2] 69:20 164:13	and/or [1] 151:24
2:20 [1] 191:9	<b>7</b>	advertisement [1] 13:2	anguish [3] 178:24 179:3 181:13
20 [1] 193:14	7 [2] 131:4,4	advices [1] 146:4	anish [1] 87:10
200 [2] 101:4 102:12	76 [3] 91:13,14,23	advised [1] 121:24	announcing [1] 143:16
2000 [1] 8:5	77 [1] 107:25	advisor [7] 46:11,12,14,17,24 47:5,	annoyed [2] 94:5,12
2003 [7] 8:3 10:16 11:23 13:13,23	7th [5] 76:13 80:7 134:17 153:17,23	10	another [3] 22:15 25:4 38:18 99:14
14:9,15	<b>8</b>	affidavit [14] 135:20 136:3,10,12,	145:17 149:14
2004 [10] 10:17 14:21 15:8,10,18,23	80s [1] 9:12	23 140:5 142:18 150:8,13,17,17,23	answer [4] 5:3 112:13 141:4 171:
17:17 24:14 32:23 33:4 34:2,11,13	89-25 [1] 4:12	151:5 157:22	20
35:8 38:12,22	8th [4] 114:4 116:5,9 125:16	aforementioned [19] 13:16 20:3	answered [2] 85:18 97:13
2005 [23] 35:16 36:2,12,16,18 48:8,	<b>9</b>	47:25 57:13 87:21 99:16 112:23	answers [3] 11:6 94:4 186:2
9,19 51:7,17 54:12 55:6,9 56:8,12	9 [1] 193:16	115:24 118:5 121:12 123:23 129:	anthony [1] 46:13
58:23 61:19 62:25 64:11 65:19 68:	9:55 [1] 1:10	11 135:19 140:14 144:12 145:18	anybody [7] 33:23 45:25 67:16 121:
5,6 153:20	90s [2] 9:23 105:7	150:7 159:14 172:3	6 125:24 149:8 188:2
2006 [80] 6:5,8 20:11 38:11,14,16,	94 [1] 107:18	afternoon [1] 144:7	apart [1] 125:21
19 57:21 69:2,14 70:10 76:13,16	97 [2] 107:15,25	age [1] 170:11	appeared [1] 186:17
77:2 78:3 80:3,7,22 88:8 89:25 90:	9th [3] 172:19,20 173:9,10 174:5,17,	aggressively [1] 82:21	appears [11] 48:6 49:24 57:22 88:6
6 98:21 99:4,7 100:2,9,15 106:7	23 175:23	ago [1] 115:4	94:3 113:6 116:23 118:12 131:4
112:12 113:8 114:2 116:16 118:23	<b>A</b>	agree [2] 96:9 162:24	135:24 150:16
119:3 121:18 123:18 124:4,24 126:	a.m [1] 1:10	agreed [3] 3:6,13,18	application [25] 12:10,14 13:7 129:
25 128:2,3 130:3,6 131:13,19,23,25	ability [1] 189:21	agreement [3] 161:12 165:24 171:	25 130:3 131:5 132:3,25 133:3,6,8,
132:12,21,24 134:17,20 135:3,5,6	able [7] 31:20,23 78:11 130:24 137:	16	14,19,22 134:5,9 141:23 159:5,6,9,
136:10 139:13,16 140:21 143:23	9,15,23	aicm [39] 69:18,19 70:2 71:7,14,18,	10,11 165:2,3 173:16
144:18,24 145:24 146:6,10,14 148:	above [3] 21:14 89:21,23	19 72:2 73:7 76:15 77:4,6,15 82:11,	applications [3] 129:12 130:7,12
3,9 151:2,14 153:17,23 155:7 158:	absolutely [1] 156:7	14 83:20 84:12 86:11 88:9,11,13,16,	132:7,10 134:8
14,21,24 171:6 172:25 181:20 191:		23 91:6 92:12 102:8 105:14 106:2	applied [3] 11:15 132:22 135:4 147:
3		107:20 108:7,22 109:3,12,19 111:6,	2 152:22 166:22
2009 [7] 172:19,21 173:10 174:5,18,		25 113:19 117:10 118:20,23 119:11,	applies [1] 146:21
		13 122:15 126:7 128:14 134:10,21	apply [3] 11:22 111:5 131:19 132:
		135:13,15 136:21 137:17 138:3,22	15 147:22 164:24 167:12 173:17

<p>174:9  <b>applying</b> [5] 11:18 12:19,22 128:25 129:7  <b>approach</b> [4] 50:16,23 67:10,14  <b>approached</b> [1] 59:4  <b>approaching</b> [1] 67:15  <b>approved</b> [5] 158:18 159:5,7  <b>approximately</b> [2] 9:10 10:16  <b>april</b> [34] 13:23 14:9 36:18,19 37:22, 23,25 51:17 76:13 78:2 80:3,7,21 84:2 88:7 89:25 90:4,6 99:4 100:2, 14 106:7 108:5 112:12 127:13,16 131:23 134:16 153:17,23 155:7 158:21,22 171:6  <b>aren't</b> [2] 142:24 187:18  <b>arguendo</b> [1] 157:5  <b>around</b> [20] 8:3,6 12:19 14:9 23:2 38:9 40:23 47:2 58:8 64:11 71:9 75: 14 97:15 125:16 128:24 129:5 149: 13 165:9,19 167:11  <b>arrested</b> [1] 189:15  <b>arts</b> [1] 7:10  <b>ased</b> [1] 40:19  <b>aspect</b> [1] 41:4  <b>assign</b> [2] 26:16 27:6  <b>assistant</b> [5] 24:3 28:6 50:7 186: 21 187:12  <b>associates</b> [1] 7:23  <b>association</b> [2] 73:25 74:3  <b>assume</b> [1] 12:5  <b>assuming</b> [1] 157:5  <b>astonished</b> [1] 31:12  <b>attached</b> [3] 139:2,8 180:14  <b>attempted</b> [1] 79:24  <b>attempts</b> [1] 141:12  <b>attend</b> [4] 9:11,20 14:14 110:23  <b>attended</b> [1] 10:23  <b>attention</b> [1] 141:7  <b>attorney</b> [1] 177:19  <b>attorneys</b> [1] 177:21  <b>august</b> [27] 17:21 19:24 24:14 32: 23 55:6,9 56:8,11 58:22 64:11,20, 23 68:4 76:16 77:2 98:21 99:7 142: 4 145:24 146:3,10,14 148:2 168:12 172:24 181:20,24  <b>authorized</b> [1] 82:16  <b>automatically</b> [1] 65:7  <b>available</b> [6] 65:14,16 78:19,25 89: 9 171:9  <b>avenue</b> [1] 2:5  <b>average</b> [2] 21:20 22:7  <b>aware</b> [3] 90:9 147:12 159:22  <b>away</b> [5] 18:14 19:16,17 31:15 50: 15  <b>ayubia</b> [3] 170:22 171:11 187:9</p>	<p><b>bad</b> [1] 102:6  <b>bahar</b> [1] 87:3  <b>bar</b> [1] 173:11  <b>barbara</b> [1] 184:12  <b>barred</b> [4] 172:19 173:11,14 174:6  <b>based</b> [13] 32:6 40:2 41:4,18 42:18 44:21 49:17 60:23 71:16,17 74:17 119:21 178:12  <b>basic</b> [14] 16:2,5,8,20 36:5 63:25 66:2 67:17 69:23 157:17 162:4 164: 9,12 168:5  <b>basis</b> [5] 93:14 95:17 104:17 108: 24 151:11  <b>became</b> [2] 104:4 164:7  <b>become</b> [3] 11:20 111:19 164:10  <b>becomes</b> [1] 152:8  <b>beginning</b> [5] 17:21 24:15 46:18, 24 47:12 189:13  <b>behavioral</b> [1] 52:12  <b>belief</b> [1] 114:16  <b>believe</b> [42] 11:23 19:24 20:25 23: 11 30:2 36:18 37:22 39:15 41:16, 21 43:21 54:22,24 60:9 61:2,25 74: 22,24 76:9 81:11 94:9 98:18,25 99: 8 100:9 101:17 105:3 106:14 110: 17 114:20 120:5 124:25 128:6 143: 17 146:11 152:3,22 153:8 154:6,18 155:25 168:20  <b>believed</b> [1] 43:8  <b>belong</b> [1] 93:3  <b>below</b> [2] 90:6 113:24  <b>benefits</b> [1] 178:4  <b>besides</b> [5] 25:19 27:15,21 34:20 54:4,4 64:7 74:17 170:6  <b>best</b> [3] 12:2 64:19 79:5  <b>better</b> [3] 8:15 17:10 110:13  <b>between</b> [7] 3:6 24:19 35:10 69:4 113:16 122:9 132:9  <b>bill</b> [5] 111:17 126:23,24 154:4,5 167:15  <b>bills</b> [2] 127:4,17  <b>binding</b> [3] 163:18 165:24 166:9  <b>biochemistry</b> [5] 17:5,6 28:19,23, 24  <b>birth</b> [2] 133:11,12  <b>bit</b> [1] 31:11  <b>blank</b> [1] 57:8  <b>block</b> [2] 181:15,17  <b>blocked</b> [12] 142:4,7 161:21,22 162: 8,19,20 165:9,19 173:4,15 181:10  <b>blocking</b> [2] 123:3 142:9  <b>blood</b> [1] 194:14  <b>board</b> [18] 73:24 127:21 133:24 135: 7 140:8 147:7 151:15,25 152:2,7,12, 13,16,21,23 153:2,4,6  <b>boat</b> [1] 45:19  <b>bodies</b> [2] 72:18,24  <b>body</b> [2] 75:16,18  <b>book</b> [1] 44:8  <b>booklets</b> [1] 147:18  <b>books</b> [2] 45:13 176:25  <b>born</b> [1] 6:11  <b>boss</b> [1] 84:24  <b>both</b> [5] 107:12 128:17 130:7 134:8 146:20 166:22</p>	<p><b>bothered</b> [1] 68:16  <b>bottom</b> [1] 88:21  <b>boulevard</b> [1] 179:9  <b>breach</b> [11] 160:3,8,15 162:17 163: 8 170:16 176:14,16,17 183:4,10  <b>breached</b> [5] 164:18 167:23 168: 21 171:18 172:11  <b>break</b> [11] 5:11,13 35:10,12 79:12 143:12,18,20 144:3 163:24 164:4  <b>breakdowns</b> [3] 89:8,11,13  <b>breeched</b> [3] 160:19 161:9,25  <b>bridget</b> [7] 131:17,23 164:23 165:8, 12 172:25 174:13  <b>briefed</b> [1] 163:11  <b>brooklyn</b> [1] 1:16  <b>brought</b> [2] 155:18 180:4  <b>business</b> [2] 161:18 176:4</p>	<p><b>change</b> [5] 23:20 25:23 28:11 52: 22 63:3  <b>changed</b> [10] 19:11,14 21:8 26:11 53:3 61:16,20 62:24 71:5,12  <b>changes</b> [2] 52:21 147:21  <b>changing</b> [1] 53:2  <b>charge</b> [4] 26:2 29:16 43:23 56:22  <b>check</b> [5] 90:22,24 130:20 149:12 178:2  <b>checked</b> [2] 159:7 165:4  <b>chemistry</b> [1] 10:4  <b>choice</b> [2] 32:4,6  <b>choose</b> [1] 12:25  <b>circumstances</b> [1] 19:14  <b>citizen</b> [1] 6:14  <b>city</b> [2] 9:18,21  <b>claim</b> [5] 160:9,16 168:10 172:12 176:18 186:5  <b>claimed</b> [1] 176:8  <b>claiming</b> [3] 151:8 169:9 176:18  <b>claims</b> [5] 5:6 176:15 181:8 185:5 187:6,15  <b>claire</b> [1] 186:20  <b>clarify</b> [1] 159:20  <b>class</b> [51] 17:14 22:6 26:18 28:23 30:20 31:6,25 32:5,19 34:21 35:5 40:13,25 44:12 45:9 51:12 54:17 55:11 59:14 60:21 62:3 71:8 74:21 76:12 82:14 86:25 88:23 91:7 96: 21 97:7 103:25 105:15 108:12,13, 17,21 109:9,10,13,18,25 110:5 111: 6,16,18 126:14 135:13,15 157:6 181:22 190:10  <b>classes</b> [18] 7:17 8:19 15:14 17:13, 16 34:12,16,20 35:2 36:20,24 51:14 54:11,15 64:17 80:6 153:12 190:12  <b>classmates</b> [4] 162:15 187:13,14, 20  <b>clause</b> [1] 160:4  <b>clear</b> [1] 173:13  <b>clerkship</b> [4] 82:6,7,10,13  <b>client</b> [2] 130:24 131:16  <b>clinical</b> [21] 31:24 66:8,14 67:11 69: 21 74:20,22 82:6,7,10,13,17 122:3, 6,12 143:10 164:14,15 167:7,9 168: 5  <b>clinicals</b> [1] 110:9  <b>close</b> [1] 128:4  <b>clue</b> [1] 156:5  <b>college</b> [5] 9:18,21,25 12:11 55:22  <b>colly</b> [1] 184:14  <b>come</b> [12] 6:16 21:21 37:7,12 67:19 134:23 155:22 156:8,10,11 176:22 189:2  <b>comes</b> [3] 25:4 28:24 93:8  <b>common</b> [1] 11:8  <b>communicate</b> [3] 86:3 100:22 138: 13  <b>communication</b> [2] 27:15 186:12  <b>community</b> [1] 180:23  <b>compiling</b> [1] 43:24  <b>complain</b> [1] 45:17  <b>complaint</b> [11] 33:8 46:10 159:13, 15,20,24 160:7,14 176:15 183:9 193:3</p>
<b>C</b>			
<p><b>calculate</b> [3] 177:20 178:8,11  <b>calculated</b> [5] 37:4,5,8,13 178:14  <b>calculation</b> [1] 43:7  <b>calculations</b> [1] 177:18  <b>calendar</b> [3] 170:10,17 172:8  <b>call</b> [17] 45:18 56:15 68:13 72:23 83: 15 84:21 85:19 87:9 101:6 112:12 114:3,6 125:24 126:3,6 173:15 186: 2  <b>called</b> [16] 17:8 68:23,25 74:6 84:7, 8,9 85:17 89:17 93:5,7 96:19 100: 16 113:4 126:9 170:24  <b>calling</b> [2] 17:10 130:11  <b>came</b> [11] 6:21 11:14 22:8 67:16,25 68:2 79:6 92:10 95:20 104:5 130: 15  <b>campus</b> [11] 18:14 19:11 153:14, 18,19,21 154:24 167:25 168:16,18, 18  <b>cannot</b> [3] 4:25 5:12 175:18  <b>caption</b> [1] 135:24  <b>card</b> [3] 13:3,3,4  <b>career</b> [1] 46:22  <b>careful</b> [1] 62:20  <b>carry</b> [1] 52:25  <b>case</b> [13] 94:22,23 95:4,8,10 100:8 150:14 175:4,10 176:2 186:16 187: 6,7  <b>catalog</b> [1] 172:9  <b>cause</b> [4] 95:15 160:2,15,18  <b>causes</b> [1] 159:24  <b>center</b> [5] 5:22 8:9 29:5,8,14,17 31: 4 56:22  <b>certain</b> [5] 16:24 21:19 90:22 126: 22 182:7  <b>certificates</b> [1] 104:11  <b>certification</b> [13] 3:8 73:17,19 74: 7,8,10,18 75:20 76:6 82:4 92:22 105:17 194:2  <b>certificationcs</b> [1] 93:2  <b>certifications</b> [5] 73:22 74:14 104: 12,23 105:5,13 114:24 161:2  <b>certified</b> [2] 152:25 166:18  <b>certify</b> [3] 182:4 194:8,13  <b>chance</b> [5] 113:3 118:9 121:20 150: 21,23</p>	<p><b>bad</b> [1] 102:6  <b>bahar</b> [1] 87:3  <b>bar</b> [1] 173:11  <b>barbara</b> [1] 184:12  <b>barred</b> [4] 172:19 173:11,14 174:6  <b>based</b> [13] 32:6 40:2 41:4,18 42:18 44:21 49:17 60:23 71:16,17 74:17 119:21 178:12  <b>basic</b> [14] 16:2,5,8,20 36:5 63:25 66:2 67:17 69:23 157:17 162:4 164: 9,12 168:5  <b>basis</b> [5] 93:14 95:17 104:17 108: 24 151:11  <b>became</b> [2] 104:4 164:7  <b>become</b> [3] 11:20 111:19 164:10  <b>becomes</b> [1] 152:8  <b>beginning</b> [5] 17:21 24:15 46:18, 24 47:12 189:13  <b>behavioral</b> [1] 52:12  <b>belief</b> [1] 114:16  <b>believe</b> [42] 11:23 19:24 20:25 23: 11 30:2 36:18 37:22 39:15 41:16, 21 43:21 54:22,24 60:9 61:2,25 74: 22,24 76:9 81:11 94:9 98:18,25 99: 8 100:9 101:17 105:3 106:14 110: 17 114:20 120:5 124:25 128:6 143: 17 146:11 152:3,22 153:8 154:6,18 155:25 168:20  <b>believed</b> [1] 43:8  <b>belong</b> [1] 93:3  <b>below</b> [2] 90:6 113:24  <b>benefits</b> [1] 178:4  <b>besides</b> [5] 25:19 27:15,21 34:20 54:4,4 64:7 74:17 170:6  <b>best</b> [3] 12:2 64:19 79:5  <b>better</b> [3] 8:15 17:10 110:13  <b>between</b> [7] 3:6 24:19 35:10 69:4 113:16 122:9 132:9  <b>bill</b> [5] 111:17 126:23,24 154:4,5 167:15  <b>bills</b> [2] 127:4,17  <b>binding</b> [3] 163:18 165:24 166:9  <b>biochemistry</b> [5] 17:5,6 28:19,23, 24  <b>birth</b> [2] 133:11,12  <b>bit</b> [1] 31:11  <b>blank</b> [1] 57:8  <b>block</b> [2] 181:15,17  <b>blocked</b> [12] 142:4,7 161:21,22 162: 8,19,20 165:9,19 173:4,15 181:10  <b>blocking</b> [2] 123:3 142:9  <b>blood</b> [1] 194:14  <b>board</b> [18] 73:24 127:21 133:24 135: 7 140:8 147:7 151:15,25 152:2,7,12, 13,16,21,23 153:2,4,6  <b>boat</b> [1] 45:19  <b>bodies</b> [2] 72:18,24  <b>body</b> [2] 75:16,18  <b>book</b> [1] 44:8  <b>booklets</b> [1] 147:18  <b>books</b> [2] 45:13 176:25  <b>born</b> [1] 6:11  <b>boss</b> [1] 84:24  <b>both</b> [5] 107:12 128:17 130:7 134:8 146:20 166:22</p>	<p><b>bothered</b> [1] 68:16  <b>bottom</b> [1] 88:21  <b>boulevard</b> [1] 179:9  <b>breach</b> [11] 160:3,8,15 162:17 163: 8 170:16 176:14,16,17 183:4,10  <b>breached</b> [5] 164:18 167:23 168: 21 171:18 172:11  <b>break</b> [11] 5:11,13 35:10,12 79:12 143:12,18,20 144:3 163:24 164:4  <b>breakdowns</b> [3] 89:8,11,13  <b>breeched</b> [3] 160:19 161:9,25  <b>bridget</b> [7] 131:17,23 164:23 165:8, 12 172:25 174:13  <b>briefed</b> [1] 163:11  <b>brooklyn</b> [1] 1:16  <b>brought</b> [2] 155:18 180:4  <b>business</b> [2] 161:18 176:4</p>	<p><b>change</b> [5] 23:20 25:23 28:11 52: 22 63:3  <b>changed</b> [10] 19:11,14 21:8 26:11 53:3 61:16,20 62:24 71:5,12  <b>changes</b> [2] 52:21 147:21  <b>changing</b> [1] 53:2  <b>charge</b> [4] 26:2 29:16 43:23 56:22  <b>check</b> [5] 90:22,24 130:20 149:12 178:2  <b>checked</b> [2] 159:7 165:4  <b>chemistry</b> [1] 10:4  <b>choice</b> [2] 32:4,6  <b>choose</b> [1] 12:25  <b>circumstances</b> [1] 19:14  <b>citizen</b> [1] 6:14  <b>city</b> [2] 9:18,21  <b>claim</b> [5] 160:9,16 168:10 172:12 176:18 186:5  <b>claimed</b> [1] 176:8  <b>claiming</b> [3] 151:8 169:9 176:18  <b>claims</b> [5] 5:6 176:15 181:8 185:5 187:6,15  <b>claire</b> [1] 186:20  <b>clarify</b> [1] 159:20  <b>class</b> [51] 17:14 22:6 26:18 28:23 30:20 31:6,25 32:5,19 34:21 35:5 40:13,25 44:12 45:9 51:12 54:17 55:11 59:14 60:21 62:3 71:8 74:21 76:12 82:14 86:25 88:23 91:7 96: 21 97:7 103:25 105:15 108:12,13, 17,21 109:9,10,13,18,25 110:5 111: 6,16,18 126:14 135:13,15 157:6 181:22 190:10  <b>classes</b> [18] 7:17 8:19 15:14 17:13, 16 34:12,16,20 35:2 36:20,24 51:14 54:11,15 64:17 80:6 153:12 190:12  <b>classmates</b> [4] 162:15 187:13,14, 20  <b>clause</b> [1] 160:4  <b>clear</b> [1] 173:13  <b>clerkship</b> [4] 82:6,7,10,13  <b>client</b> [2] 130:24 131:16  <b>clinical</b> [21] 31:24 66:8,14 67:11 69: 21 74:20,22 82:6,7,10,13,17 122:3, 6,12 143:10 164:14,15 167:7,9 168: 5  <b>clinicals</b> [1] 110:9  <b>close</b> [1] 128:4  <b>clue</b> [1] 156:5  <b>college</b> [5] 9:18,21,25 12:11 55:22  <b>colly</b> [1] 184:14  <b>come</b> [12] 6:16 21:21 37:7,12 67:19 134:23 155:22 156:8,10,11 176:22 189:2  <b>comes</b> [3] 25:4 28:24 93:8  <b>common</b> [1] 11:8  <b>communicate</b> [3] 86:3 100:22 138: 13  <b>communication</b> [2] 27:15 186:12  <b>community</b> [1] 180:23  <b>compiling</b> [1] 43:24  <b>complain</b> [1] 45:17  <b>complaint</b> [11] 33:8 46:10 159:13, 15,20,24 160:7,14 176:15 183:9 193:3</p>
<b>B</b>			
<p><b>bachelor</b> [4] 7:10,11,12 10:6  <b>bachelor's</b> [1] 10:8  <b>back</b> [24] 6:10 18:13 24:16 38:8,22 55:16 67:20 68:2 76:23 80:3,5 85:3 86:13 112:16 113:21 123:11 127: 11 130:4 138:3,5 144:8 177:3,4 178:2  <b>background</b> [1] 85:16</p>	<p><b>bad</b> [1] 102:6  <b>bahar</b> [1] 87:3  <b>bar</b> [1] 173:11  <b>barbara</b> [1] 184:12  <b>barred</b> [4] 172:19 173:11,14 174:6  <b>based</b> [13] 32:6 40:2 41:4,18 42:18 44:21 49:17 60:23 71:16,17 74:17 119:21 178:12  <b>basic</b> [14] 16:2,5,8,20 36:5 63:25 66:2 67:17 69:23 157:17 162:4 164: 9,12 168:5  <b>basis</b> [5] 93:14 95:17 104:17 108: 24 151:11  <b>became</b> [2] 104:4 164:7  <b>become</b> [3] 11:20 111:19 164:10  <b>becomes</b> [1] 152:8  <b>beginning</b> [5] 17:21 24:15 46:18, 24 47:12 189:13  <b>behavioral</b> [1] 52:12  <b>belief</b> [1] 114:16  <b>believe</b> [42] 11:23 19:24 20:25 23: 11 30:2 36:18 37:22 39:15 41:16, 21 43:21 54:22,24 60:9 61:2,25 74: 22,24 76:9 81:11 94:9 98:18,25 99: 8 100:9 101:17 105:3 106:14 110: 17 114:20 120:5 124:25 128:6 143: 17 146:11 152:3,22 153:8 154:6,18 155:25 168:20  <b>believed</b> [1] 43:8  <b>belong</b> [1] 93:3  <b>below</b> [2] 90:6 113:24  <b>benefits</b> [1] 178:4  <b>besides</b> [5] 25:19 27:15,21 34:20 54:4,4 64:7 74:17 170:6  <b>best</b> [3] 12:2 64:19 79:5  <b>better</b> [3] 8:15 17:10 110:13  <b>between</b> [7] 3:6 24:19 35:10 69:4 113:16 122:9 132:9  <b>bill</b> [5] 111:17 126:23,24 154:4,5 167:15  <b>bills</b> [2] 127:4,17  <b>binding</b> [3] 163:18 165:24 166:9  <b>biochemistry</b> [5] 17:5,6 28:19,23, 24  <b>birth</b> [2] 133:11,12  <b>bit</b> [1] 31:11  <b>blank</b> [1] 57:8  <b>block</b> [2] 181:15,17  <b>blocked</b> [12] 142:4,7 161:21,22 162: 8,19,20 165:9,19 173:4,15 181:10  <b>blocking</b> [2] 123:3 142:9  <b>blood</b> [1] 194:14  <b>board</b> [18] 73:24 127:21 133:24 135: 7 140:8 147:7 151:15,25 152:2,7,12, 13,16,21,23 153:2,4,6  <b>boat</b> [1] 45:19  <b>bodies</b> [2] 72:18,24  <b>body</b> [2] 75:16,18  <b>book</b> [1] 44:8  <b>booklets</b> [1] 147:18  <b>books</b> [2] 45:13 176:25  <b>born</b> [1] 6:11  <b>boss</b> [1] 84:24  <b>both</b> [5] 107:12 128:17 130:7 134:8 146:20 166:22</p>	<p><b>bothered</b> [1] 68:16  <b>bottom</b> [1] 88:21  <b>boulevard</b> [1] 179:9  <b>breach</b> [11] 160:3,8,15 162:17 163: 8 170:16 176:14,16,17 183:4,10  <b>breached</b> [5] 164:18 167:23 168: 21 171:18 172:11  <b>break</b> [11] 5:11,13 35:10,12 79:12 143:12,18,20 144:3 163:24 164:4  <b>breakdowns</b> [3] 89:8,11,13  <b>breeched</b> [3] 160:19 161:9,25  <b>bridget</b> [7] 131:17,23 164:23 165:8, 12 172:25 174:13  <b>briefed</b> [1] 163:11  <b>brooklyn</b> [1] 1:16  <b>brought</b> [2] 155:18 180:4  <b>business</b> [2] 161:18 176:4</p>	<p><b>change</b> [5] 23:20 25:23 28:11 52: 22 63:3  <b>changed</b> [10] 19:11,14 21:8 26:11 53:3 61:16,20 62:2</p>



complete [4] 47:7 63:6 95:5 162:5 completed [3] 134:8,16 164:13 completing [1] 66:21 component [1] 59:13 components [1] 128:18 comprehensive [2] 157:9 164:16 comprised [2] 73:7 107:20 computer [1] 126:12 computers [1] 167:16 concern [3] 60:7,8 66:16 concerned [6] 59:10 60:3,25 94:3 97:19 102:3 concerning [25] 16:13 18:3 23:20 27:16 33:8 35:18,19 36:24 42:11 46:5 47:16 50:17 54:15 62:11 66: 22 68:13,20 69:10 113:19 126:3 170:22 175:6 179:3 181:8 186:5 concerns [2] 34:23 66:10 concluded [3] 36:17 64:10 100:13 conditions [1] 95:13 conducted [1] 42:18 conferred [1] 100:11 confusing [1] 97:23 confusion [1] 169:14 congratulated [1] 164:23 congratulations [2] 185:13,14 connection [2] 12:13 136:13 considered [1] 28:22 consisted [1] 31:17 contact [6] 49:25 79:24 80:12 146: 13 173:20,23 contacted [1] 47:16 contend [1] 162:17 continually [1] 6:7 continued [1] 190:19 contract [10] 160:4,9,16,20,21 176: 14,16,17 183:10 185:5 conversation [40] 27:9 28:17 31: 14 42:8,21,22 43:15,18 45:14 49:11 50:9,18,22 62:12 69:9 77:12 80:24 81:8 83:3,9 85:2,25 86:5 94:16 99: 10 100:23 102:20 108:4 111:23 112:8 113:16 114:15 115:8 116:9 149:7 154:24 155:2,3,6,13,17 156: 16,18 182:17 184:17 186:25 conversations [28] 12:18 27:15 33:5,20,21 45:25 83:12,14,18 85:6 113:18 116:13 124:7,10 125:8,12, 13,14 135:7 149:11,20 170:22,25 184:21,25 185:21,24 186:23 convicted [1] 189:17 copies [2] 174:2 175:20 copy [19] 18:23 19:5 20:4 22:18,24 37:24 38:17,18 44:6 57:19 79:17 117:23,25 118:2 130:22 136:6 148: 24 172:10 174:17 cornell [1] 8:9 correct [44] 15:11 17:24 21:4,11,12 23:13 27:2 36:3 37:10 39:14,16 41: 20 45:9 56:23 61:13 63:18 65:15 67:20 77:23 89:25 90:9 112:17 117: 15 122:20,21 131:6 132:15,22 133: 17 134:10 138:8 140:4,6 145:10 146:7 153:18,23 154:10,11 159:3 161:10 176:11,19 183:15	correctly [1] 97:14 correspondence [7] 135:9 146:9, 12 148:24 175:23,25 182:17 costello [25] 2:4,4,6 19:9 21:24 22: 20 23:8 47:4 71:18 105:20 129:2, 19 130:23 131:14 139:7 149:2,16 150:18 154:12 166:2 169:21 170:3 174:19 177:13,25 183:2 couldn't [1] 79:20 counsel [2] 3:6 130:9 counselor [1] 166:3 counted [1] 45:3 county [11] 7:19,25 8:13,18 125:4 136:2,14 150:15 179:8 188:9 194:4 couple [1] 189:12 coupled [1] 41:17 course [112] 8:25 22:17 23:21 26: 23 27:13 28:23 30:4,7,11 31:22 32: 12,14,20,22 33:2,9,25 34:2 39:21 40:4 41:5,9,11 42:12,19 43:24 49: 18 51:16,25 53:4,24 54:20 58:16,17 59:5 61:7 63:7 70:2,16,20,25 71:4, 14,22 72:2,20,22 73:7 76:15,15 77: 4,7,15 79:13,16,23 81:14,22 82:11 83:20 84:12 86:11 88:8 92:12,21 93:21 99:2,5,8 102:9 103:10,19,22 104:8 106:2 107:20 108:7,11,16,22 109:3 111:25 113:19 114:19 117: 10 118:20,23 119:3,11,13 122:16 126:7 128:14,15 134:10,21,22 137: 17 138:22 141:17 143:9 154:7 157: 19 158:3,5,6,7,8 159:2 163:21 182: 2,3 courses [32] 14:14 16:13,24 17:2, 24 21:3 34:24 36:9,11 51:22 52:4, 16 55:19 56:14 58:5 63:21 66:11, 13,21 67:17 69:22 70:5,24 147:5 151:24 157:17 164:8,12 167:14 191:2,4,5 court [10] 1:2 3:21 4:25 100:9 102: 25 125:5,17 136:2,14 150:15 155:5 159:23 173:13 175:4 186:17 188: 25 coutinho [1] 183:6 cramatta [1] 186:20 created [1] 181:12 credit [2] 95:19 96:14 credits [2] 16:15,18 crime [1] 189:17 cryo [1] 17:8 cullen [3] 1:15 2:8 4:18 currently [3] 5:16,18 136:24 curriculum [9] 15:24 16:9,21 36:6 64:2 69:24 164:9,12 167:8	56:1 57:1 58:1 59:1 60:1 61:1 62:1 63:1 64:1 65:1 66:1 67:1 68:1 69:1 70:1 71:1 72:1 73:1 74:1 75:1 76:1 77:1 78:1 79:1 80:1 81:1 82:1 83:1 84:1 85:1,20 86:1 87:1 88:1 89:1, 24 90:1 91:1 92:1 93:1 94:1 95:1 96:1 97:1 98:1 99:1 100:1,12 101:1 102:1 103:1 104:1 105:1 106:1 107: 1 108:1 109:1 110:1 111:1 112:1 113:1,7 114:1 115:1 116:1 117:1 118:1 119:1 120:1 121:1,19 122:1, 2 123:1,4 124:1 125:1 126:1 127:1 128:1 129:1 130:1 131:1 132:1 133: 1 134:1 135:1,25 136:1 137:1 138: 1 139:1 140:1,22 141:1 142:1 143: 1 144:1 145:1,24 146:1,4 147:1 148:1 149:1 150:1,14 151:1 152:1 153:1 154:1 155:1 156:1 157:1 158: 1 159:1,22 160:1 161:1 162:1 163: 1 164:1 165:1 166:1 167:1 168:1 169:1 170:1 171:1 172:1 173:1 174: 1 175:1 176:1 177:1 178:1 179:1 180:1 181:1 182:1 183:1 184:1 185: 1 186:1 187:1 188:1 189:1 190:1 191:1 192:4 dasrath's [2] 130:16 150:16 date [40] 1:9 13:13,19 14:23 15:5 20:6 38:24,25 48:4 57:16 58:6,7,10 71:10 78:13 87:24 99:18 113:2 116: 3,10 118:8 121:15 124:2 126:8 128: 5 129:14 133:10,12 135:22 140:17 144:15 145:21 150:10 155:23,24 156:2 158:20,21 159:17 172:6 dated [18] 13:23 20:11 38:11 48:7,8 57:21 88:7 89:24 113:7 116:15 118: 13 121:17 124:4 130:3,5 131:12,15 144:18 day [7] 44:18,19 76:11 165:8 173:6 191:13 194:18 days [2] 118:14 169:6 dean [5] 24:3 50:3,5,7 167:9 deans [4] 28:6 49:25 51:3 81:3 dear [1] 49:24 death [1] 14:18 december [7] 34:11 35:8 61:19 62: 25 68:6 69:4 153:20 decide [1] 126:10 declined [1] 187:3 defendant [4] 1:14 118:12 138:11 151:8 defendant's [32] 13:17,22 20:5,9 38:9 48:2,5 57:14,18 66:6 87:22 88: 5 99:17 112:24 113:4 115:25 118:6 123:24 129:13,18,23 130:9 135:20 139:3 140:15,18 144:13,17 145:19 150:9 159:16 172:5 defendants' [2] 116:15 121:13 defer [1] 111:24 definitely [1] 38:15 degree [11] 7:8 9:4,7,24 10:3,12 162:5 178:23 181:11,11,16 degrees [1] 9:8 delay [2] 14:23 15:5 delayed [2] 14:19,20 demand [1] 154:21	denied [2] 121:25 122:5 deny [1] 122:22 department [4] 26:2 28:19,25 37: 15 deposed [2] 4:21 188:21 deposition [3] 3:9,18 169:17 desalu [14] 29:16,18,23 31:5,15 32: 10 33:21 56:20,21,25 59:4 60:15,16 62:12 desalu's [1] 62:6 described [1] 69:23 deserve [2] 161:20 162:10 despite [4] 143:16 152:5 158:2 169: 9 details [3] 45:23 113:12 184:20 development [1] 17:8 deviations [1] 100:21 devry [3] 98:17 186:8,13 devryu.net [2] 78:6 114:12 differ [1] 70:3 difference [1] 132:9 different [3] 21:23 73:16,19,22 89: 5,16 132:7 168:4 difficult [1] 98:13 direct [2] 141:7 165:11 directed [1] 47:2 disappointed [2] 61:5 180:12 disappointment [1] 180:8 discriminate [2] 170:9,11 discrimination [1] 172:12 discuss [15] 33:15,19 39:7 50:14 53:18 94:14,18 101:5 121:5,8 156: 6,25 169:18 170:3 187:7 discussed [23] 10:24 11:12 21:3 28:17 31:14 33:6,17 42:2 43:15 48: 20 56:18 114:6 155:10,12,17 162:2 182:18 183:5 184:9 185:8 187:23, 25 188:2 discusses [1] 124:5 discussing [7] 50:10 51:2 54:10 58:17 89:21 115:13 157:3 discussion [3] 23:19 25:8 54:4 110:19 169:14 189:9 discussions [3] 62:5 112:7 169:23 dismissed [1] 190:4 dismissing [1] 159:23 distress [1] 178:24 district [1] 1:2 dkyman [1] 1:15 doctor [4] 11:21 54:4 179:2 187:18 doctor-patient [1] 34:19 doctors [3] 33:6 75:13 183:18 doctrine [1] 17:12 document [21] 13:15,17 14:3,6 20: 13,15 57:12 58:12 87:20 88:10 118: 4 121:11 131:21 136:5 139:2 140: 23 144:10 160:12 170:19 176:7 182:7 documentation [3] 177:9,17 178: 20 documents [13] 12:5,12 47:24 48: 15 129:10 130:15 131:10 139:8 161:7 175:12,14,20 182:24 doing [5] 51:14 75:13 90:17 124:13 175:8
--	--	---	---

## D

damages [3] 176:8 180:8 181:8  
dasrath [205] 1:13 4:10,14 5:1 6:1  
7:1 8:1 9:1 10:1 11:1 12:1 13:1 14:  
1 15:1 16:1 17:1 18:1 19:1 20:1 21:  
1 22:1 23:1 24:1 25:1 26:1 27:1 28:  
1 29:1 30:1 31:1 32:1 33:1 34:1 35:  
1 36:1 37:1 38:1 39:1 40:1 41:1 42:  
1 43:1 44:1 45:1 46:1 47:1 48:1 49:  
1,25 50:1 51:1 52:1 53:1 54:1 55:1

dominica [24] 15:16,17 18:14 19:11 26:7 67:19 69:14 85:22 86:17,18,21 87:9 113:10 120:5,15,24 153:19 157:17 167:25 168:4,6,9 170:13 177:3  
done [3] 103:12 159:4 180:15  
door [5] 50:19,20,23 120:15,24  
dormitory [1] 176:25  
double [1] 10:11  
down [2] 58:13 79:12  
dropped [1] 13:4  
drugs [1] 189:20  
due [1] 68:22  
duly [2] 4:3 194:10  
dunbar [1] 183:17  
dunn [1] 184:9  
during [3] 8:17 16:23 34:13 35:23 47:9 51:21,22 52:5 53:18 54:9 64:7 66:20 69:8 75:10,24 81:7 82:11 84:18 100:23 102:19 103:19,22 104:6 108:4 111:23 112:8,11 125:25 134:7 143:18 155:17  
dykman [2] 2:8 4:19

## E

e-college [5] 88:24,25 89:7,15,18  
e-mail [36] 27:17 47:21 48:20,23 49:3,7,10,23 51:7 53:7,16,19 55:25 85:9,12,14 86:4,10 87:22 88:6,19,22 89:9,20,23 90:5 97:19 112:16,24 113:6,9,14,17,22,24 185:17  
e-mailed [2] 90:21 116:4  
e-mails [5] 47:22 48:2,7 86:7 149:11 182:13  
each [4] 44:24 47:22 73:16,18 101:14,15,16 131:9  
earlier [1] 21:3 89:2 99:12 103:6 108:12 142:19 155:10 158:3 162:9 163:5 183:15  
early [5] 19:24 24:14 64:23 80:21 84:2  
earned [2] 100:12,25  
earning [1] 178:7  
ecfmg [16] 134:2 135:7 145:25 146:4,10,18 147:13,18,23 148:20,25 149:8 152:19 173:21 174:22 182:18  
education [3] 9:17 46:18 47:9  
educational [2] 169:2,5  
effect [3] 3:20 83:7 173:4  
effective [1] 163:16  
effectively [2] 145:3,4  
effectuate [1] 63:3  
eight [3] 138:25 157:4 160:17  
eighteen [2] 167:6,19  
either [7] 24:13 27:17 28:15 111:23 125:9 151:23 174:22  
electronically [1] 56:4  
eleven [1] 177:12  
eligibility [1] 147:21  
eligible [5] 152:16,21 157:24 164:7,10 165:11 173:2 174:14  
employed [5] 5:18,20 7:17,18 8:18  
employment [3] 6:8 10:19 188:15  
end [22] 18:8 19:23 27:8 28:16 31:

13 32:22 34:10 40:25 42:2,7 44:17 80:6 83:8 84:25 96:13,15,22 104:10 106:2 126:25 127:15 128:4  
ended [4] 35:7 51:17 64:18 127:13  
enduring [1] 170:15  
enrique [4] 70:11 132:13 164:25 171:4  
enroll [1] 138:11  
enrolled [27] 15:10,24 134:9,14,19 142:24 143:4 145:13 146:19 147:3,5,6,10,14 148:13 151:9,17,23 152:4,6,11,13,20,24 153:4,6,7  
entail [2] 16:6,9  
entails [1] 16:10  
entirety [1] 150:19  
entitled [3] 99:25 136:3 163:23  
entry [4] 118:22 119:2,7,9  
epi [2] 110:16,24  
epi-dermanolog [1] 91:5  
epi/biostatic [1] 90:25  
epi/biostatics [1] 91:3  
erratic [2] 98:4,9  
esq [2] 2:6,10  
esqs [3] 1:15 2:4,8  
essay [18] 72:9,14,15 92:19,25 93:6,8,10,18,20,23 94:10,15 95:15 101:3,20,21 102:13  
essays [1] 72:16  
essentially [1] 100:20  
even [5] 43:9 142:11 157:5 165:16,18  
eventually [2] 80:16 85:24  
everything [4] 79:15 153:15 155:16 165:5  
exact [3] 71:10 83:2 128:5  
exactly [7] 25:3 32:16 38:23 58:9 68:16 82:23 103:16  
exam [88] 21:20 22:6 30:17,21,22,24 31:18 40:7,9,13,21,22 41:18 51:8 52:15 55:8 59:12,19,20,23 60:15 63:11 65:17 67:23 73:14,18,24 74:11 75:21 76:5,7 92:4,6,14,16,25 101:2,2,9,11,13,14,15,18,22,25 102:3,8,13 104:18 105:23 107:21 110:17 127:22 128:8 133:3 134:24 135:6 136:17,25 138:12 139:19,24 142:11,12,14,23 143:2,4 145:9,13,14 146:15,21,22 147:3,9,9,21,22 151:10 157:9,10,25 161:3 164:16 173:18 185:15  
examination [10] 1:12 4:6 29:5,7,14,17 31:4 127:21 173:12 192:3  
examinations [1] 29:24  
examined [1] 4:5  
examining [1] 133:24  
exams [42] 17:23 18:3 29:9 30:2,6,12,13 31:21 32:2,3,6 41:8 45:9 51:20 59:16 60:17 61:6 66:23 67:25 68:3 71:25 72:4,6,7,12,15,15 73:10,13,16 74:9,18 75:23 81:16,19 92:7,9,9,22,23 104:9 174:10  
exan [1] 142:20  
except [3] 3:13 38:23,25 60:22 97:14 110:23  
exchange [1] 49:10

exchanges [4] 48:21,23 49:3,7  
excuse [1] 94:6  
exempt [1] 110:15  
exhibit [60] 13:15,18,21,22 20:5,10 38:10 48:7,8 49:23 51:6,7 57:15,18 66:6 87:23 88:5 99:15,17,25 112:20,22,25 113:4 115:23 116:2,10,15 118:4,7,12 121:14,17 123:22,25 124:3 129:24 130:2,4 131:3,22 135:18,21,24 140:16,18 144:14,18 145:17,20,23 150:9,13 151:19 152:5 154:13 159:16 161:7 172:2,5  
exhibits [9] 48:3,6,11,12,13 51:4 129:13,23 193:2  
exist [1] 91:18  
exists [1] 97:3  
expected [1] 55:10  
expelled [1] 189:23  
expenses [1] 177:7  
experience [1] 119:22  
explain [12] 19:13 21:7 57:23 98:12 122:5 148:16 151:11 162:11 174:12 180:7,10,18  
explained [2] 45:21 81:15  
explaining [1] 53:7  
explanation [2] 19:15 148:12  
extent [5] 105:18 149:2,4 160:6 174:19  
essentially [1] 100:20  
extra [1] 96:14

## F

face [2] 25:14,15  
face-to-face [1] 84:5  
fact [1] 169:9  
factual [1] 169:16  
faculty [2] 46:15,16  
fail [5] 53:14 81:19 99:5 107:8,10,22 126:14 157:6 168:10  
failed [19] 22:16 32:19 51:5 93:9 94:10 99:2,8 101:2,18 106:12,14 109:12 126:14 138:22 154:9 158:2 168:8 169:9 190:10  
failing [44] 33:22 77:3,6,10,15 79:22 81:13 90:9,10,12,15,18 91:12,22 92:11 93:16 94:7 95:16 98:17,18,23 100:12 104:18 106:19 108:10,17 114:11,12,15 126:16 135:13,14 137:12,16,23 147:25 154:17 158:4,6,7 168:12 181:25 184:3 190:6  
fails [1] 109:19  
fair [3] 47:4 93:13 128:13  
fall [4] 11:25 33:3 34:2,13  
false [2] 96:23 97:4  
family [4] 14:18 74:3 168:25 180:8  
far [2] 22:2 40:10 53:24 81:18 83:16 95:6  
fare [1] 177:2  
fashion [1] 161:18  
feeling [1] 178:25  
fees [2] 176:25 177:19  
felt [1] 61:25  
fernandez [43] 70:12 79:25 80:13,17,25 81:5 84:3 88:7,22 89:20,24 90:5,12,21 94:15 97:19 99:11 100:10,16,19 101:6 102:20 108:5 109:

23,24 111:22 112:4,8,12,14 113:11,17 114:10 115:7 123:2 132:13 154:21 158:19 159:5 165:2 171:4,9 187:3  
fernandez' [4] 77:17 84:24 186:21 187:12  
ferpa [1] 169:3  
ferri [1] 114:2  
few [2] 75:4 85:23  
fifteen [2] 16:18 183:5  
fifth [9] 65:21,23 66:21 67:4,18 68:25 74:5,17 100:13  
file [3] 33:7,12 46:4 62:9 130:16,22  
filed [5] 46:10 125:4,9 136:13,16,19  
filing [4] 3:7 33:13 46:8 125:17  
filled [2] 13:4 133:7  
final [48] 18:9,16 30:8,17,19,21,22,24 31:17 40:7,9 45:4 52:25 54:21 59:17,23 64:15,21 67:23,25 68:2,2 73:14,15 76:5,7,14 90:13 92:19,25 93:5,8,10,18,20,23 94:14 95:16 101:2,13,14,15,18,25 103:23 104:2 107:19 119:14  
finally [1] 4:16  
finals [1] 111:3  
find [5] 32:13 56:11 59:3 71:11 137:7  
fine [2] 12:17 170:5  
finish [2] 5:3 176:2  
finished [5] 67:16 134:14 153:15,19,21 168:18 175:4,10  
first [6] 4:3 16:16,25 18:4 20:17 33:9 35:20,24 38:14 48:17 49:23 56:6 62:23 67:7 69:23 77:3,5,16,22 78:15 82:15 84:17 85:11,25 86:4 87:4,6,11,12 91:12 93:19,22 95:10 100:6,10 102:23 106:6,9,12,16,21,25 107:13 113:9 115:2 126:13,15 131:12 132:11 133:7,14 134:13 141:11 145:2,12 146:11 157:16 161:6 167:3,3 176:19  
five [20] 45:7 72:6,11 73:13,21 74:13 75:23 81:15 82:2,3 92:22 93:2 104:12,22 105:5,12 114:24 150:25 160:17 163:19  
flaws [1] 153:11  
focus [1] 160:8  
follow [7] 21:22 29:22 31:8 38:6 177:16 182:25 183:2  
follow-up [4] 23:7 113:11 149:17 189:12  
followed [1] 24:25  
following [7] 23:9 108:17 109:3 124:5 143:10 168:16 190:19  
follows [2] 4:5 168:25  
force [1] 3:20  
forgot [1] 189:14  
forgotten [1] 54:7  
form [3] 3:14 12:10 159:6,6 165:3  
formal [1] 46:4  
forth [2] 176:8 194:10  
forty-five [1] 169:6  
forwarded [2] 12:13 159:8  
found [4] 47:13,15 56:6 78:20  
four [10] 6:4 7:6 16:22 42:5 51:24



52:17 54:11 63:17,22,25 64:4,22  
75:9 96:12 163:16 166:6  
fourteen [4] 141:8 165:14 166:5,12  
fourth [1] 65:22  
fraudulent [1] 184:3  
friday [2] 113:7,25  
friends [4] 78:22,23 79:5 86:24  
front [1] 97:6  
full-time [1] 178:17  
fully [1] 157:24  
further [13] 3:12,17 9:16 45:14,24  
83:11 85:5 124:23 127:3 165:22  
171:11 191:8 194:13

## G

garbage [2] 180:21 181:7  
gary [2] 194:6,21  
gather [1] 40:23  
gathered [1] 83:3  
gathering [1] 40:24  
gave [4] 43:5 62:2 159:6 168:12  
general [3] 32:18 35:23 179:11  
generally [3] 24:21 162:2 163:12  
genetic [2] 21:15 31:17  
genetics [2] 17:7 18:9,17,21 21:9,  
10 22:16 23:21 25:23 26:2 27:13  
28:23 30:4 33:9 34:21 35:5,18 64:5  
108:12,18 126:14  
gentleman [3] 26:25 27:3,4  
george [2] 121:9,18  
gestures [1] 11:7  
gets [1] 161:14  
getting [1] 79:7  
gilmer [3] 121:9,18 122:14 123:9,  
17 124:5,22 125:10  
give [15] 18:15 21:18 27:12 55:7 78:  
9 94:25 95:2,14,24 97:16 98:9 115:  
12 138:20 165:2,3  
given [12] 30:7 32:7 44:9 55:6 70:  
16 76:2 97:5,7 103:18 158:19,23  
194:12  
gives [1] 162:4  
giving [7] 61:25 96:20,22,24 98:5,6  
162:25  
goal [1] 11:18  
got [2] 93:11 112:16  
gotten [1] 167:3  
grade [163] 18:9,12,17,18,20 19:14  
21:7,9,11,15 22:2 23:12 25:23 26:  
12,22 27:16 28:11 29:21,24 30:24  
31:2,5,17,21 32:5 33:8,22 35:18,19  
37:3,5,6,8,16,18 39:4,7,13 42:11 43:  
4,10,24 44:8 45:4,13,25 46:6 47:2,  
17 50:17 51:2 52:20 53:3,13,23 54:  
5,11,15,19,21 55:3,5,10 56:7 57:3,5  
58:19 59:10 60:3 61:15 62:11,16,  
24 64:7,22 65:5 66:17,19,23 67:24  
68:20 73:6 74:17 76:15,17 77:4,6,  
11,15,19,23 78:16,21 79:13,14,22  
81:10 82:19 83:5 89:8,11,13,19 90:  
9,11,13,15,18,25 91:2,13,23 92:  
3,12 93:20 94:7,15 95:16 96:10 97:  
24 98:3,7,14,17,18,23 100:12 102:  
17 103:23 107:19 108:10 110:12  
114:12,15,21 117:10,24,25 119:10,

13,14,25 122:15 135:13,15 136:22  
137:12,16,23 138:4,7,9,20,20 147:  
25,25 154:17 158:5,7 165:8 168:12  
181:25  
graded [3] 29:11 39:23 73:4 75:19  
81:22,24,25 108:3  
grades [48] 18:3 20:17,20 21:23 22:  
11,14 23:15 29:25 34:24 36:24 45:  
8,10,15 49:12 52:21 55:18,23,25 56:  
13 58:5 63:21 65:2,14,16 66:11 69:  
11 71:15 78:12,18,24 88:8,23 90:11  
91:9,9,10 98:5,6,9 104:7 114:11  
120:9,18,20 163:2,3 184:3 190:7  
grading [3] 56:22 60:21 163:20  
graduate [3] 7:14 8:24,25  
graduated [1] 9:13  
graduation [1] 7:16  
great [1] 23:4  
grievance [3] 33:7,11,14,15 46:5  
62:10  
grill [3] 28:3,4,5  
gross [20] 36:13,21 37:3,9,15 39:4,  
21 40:4,13 41:9 42:11,19 43:3 47:  
16 49:12 50:17 51:16 53:23 54:5,  
10  
ground [2] 4:24 177:4  
group [2] 40:24 110:23  
guess [3] 10:9 21:6 104:6  
guidelines [1] 168:25  
guitarrez [1] 183:14  
gutterrez [1] 70:12  
gutterry [1] 70:13  
guy [1] 90:16  
guyana [1] 6:12

## H

h-o-u-g-h-t-o-n [1] 24:7  
hand [3] 11:7 104:9 194:18  
handbook [20] 117:6,18,22,24 118:  
2 140:10,13,15,20 143:9 157:8,21  
160:24 163:8,15,17 166:8,9 168:20  
170:8  
handbooks [1] 132:18  
handled [1] 186:15  
handouts [1] 182:20  
happen [2] 78:19 173:8  
happened [9] 32:10 63:4,5 71:2 85:  
23 92:2 112:11 172:20 187:17  
happy [1] 97:16  
hard [3] 57:19 162:25 164:5  
havonic [1] 184:5  
head [2] 28:18 37:14  
hear [4] 16:7 85:19 116:5 171:10  
heard [4] 85:15,21 87:17 175:22  
heart [2] 73:25 74:2  
held [2] 1:14 189:10  
help [2] 171:22,24  
helpful [2] 5:4 11:8  
helps [1] 66:6  
hereby [3] 3:5,9 194:7  
herein [1] 194:10  
hereto [1] 3:7  
hereunto [1] 194:17  
high [2] 105:7 107:12  
histology [3] 17:7,11 34:18

hold [3] 175:9 176:3,5  
holding [2] 138:3,5  
home [4] 22:22 68:2 69:3,9  
hospital [15] 7:19,25 8:9,14,16,18,  
19 10:15,20 70:18 74:23 75:3,10  
188:10,20  
hospitals [1] 112:5  
houghton [7] 24:4 26:24 27:21 50:  
2,4 51:3 52:19  
houghton's [1] 25:6  
housed [1] 15:20  
housing [3] 15:21,22 176:25  
human [1] 71:24  
hundred [16] 40:16 41:3 43:6,9,22  
44:3,11,16 45:3 49:16 55:4,7 59:11  
60:4,9,25

## I

idea [2] 79:6 166:11  
identification [19] 13:18 20:6 48:3  
57:15 87:23 99:18 112:25 116:2  
118:7 121:14 123:25 129:14 135:  
21 140:16 144:14 145:20 150:10  
159:17 172:6  
identified [1] 160:18  
identify [1] 160:21  
immediately [7] 80:9,16 108:16  
109:14 126:16 145:4 147:23  
immunology [2] 52:8 66:9  
inactive [1] 152:9  
inc [1] 186:13  
includes [1] 169:4  
incomplete [14] 59:2,6 61:12,16,  
22 62:7 63:10 66:24 67:8,11 68:10,  
20 71:3,6  
incorporate [1] 43:5  
incorporated [1] 75:22  
incorporating [1] 49:16  
incorrect [2] 52:20 133:15  
incurred [2] 170:13,14  
indication [2] 181:23,25  
individual [3] 44:25 146:20,22  
individuals [1] 181:7  
influence [2] 189:19,21  
inform [3] 145:3 147:23,24  
information [10] 94:25 96:23 97:4  
115:7 124:18,21 125:20 147:18  
150:3 175:6  
informed [5] 100:19 122:14 137:2,  
4 145:15  
informing [1] 124:12  
inspect [1] 169:4  
instead [1] 66:18  
instruct [1] 106:15  
integration [1] 164:15  
intense [2] 180:3,4  
intention [2] 162:7 172:22  
interested [1] 194:16  
internal [3] 120:6,17 179:16  
internet [1] 102:15  
interrogatories [5] 172:2,4,14  
176:6 193:4  
interrogatory [4] 171:21 172:17  
182:10 183:5  
introduced [1] 129:22

introduction [4] 66:8,14 69:20  
164:14  
invested [1] 123:6  
invited [3] 153:24 164:22,23  
involved [3] 12:8 169:20 188:5  
island [5] 8:23 9:5,11,17 67:16  
issue [3] 35:17 59:9 96:5,7 120:5  
137:12,16 188:15  
issued [10] 18:9,16,18 66:11,18 67:  
24 119:15 151:13 161:3 184:3  
issues [12] 18:2,6 35:19,22 36:23  
37:2 54:14 63:20 64:6 66:22 171:  
12 179:25  
item [2] 21:14 172:11  
items [3] 90:22 101:5 162:23 163:4  
171:15 176:10  
itself [1] 63:5

## J

january [3] 35:16 36:2,12,16 57:21  
69:2,4,14 70:9  
jennifer [2] 2:10 4:17  
jersey [5] 159:8 167:10,13,13,20  
job [1] 93:13  
john's [3] 6:24 7:5 10:13  
joseph [1] 2:6  
judge [2] 169:10,15  
judy [4] 85:17,18,19 185:25  
july [12] 20:11 38:11,14,16,19 48:8  
51:7 135:3,6 136:10 143:23 146:6  
jumping [1] 38:9  
june [10] 48:7 124:4,24 139:12,16  
144:18,23 148:8 151:14,18

## K

keep [2] 171:8 187:19  
kelly [3] 146:2 148:20 184:18  
kept [1] 29:12  
kevin [1] 179:6  
kick [1] 62:21  
kind [1] 170:25  
kings [3] 7:18,24 8:13,18 188:9 194:  
4  
knock [1] 50:20  
knowing [1] 46:23  
knowledge [21] 22:4 29:24 33:10  
49:9 60:22 63:10 74:25 79:5 89:15  
91:18 102:18 106:16,18 107:12  
108:2 110:21 121:2 123:19 133:16  
139:20 187:16  
knowledgeable [1] 187:14  
knows [2] 184:11,13

## L

lab [2] 59:19,20  
language [1] 151:20  
large [1] 110:23  
last [19] 7:22 16:21 17:14 44:17,19  
63:23 65:25 76:11 87:4,7,11,13,14  
96:12 115:2 127:6 141:4,9 170:7  
late [12] 9:12,22 24:13 36:19 37:22,  
22,25 64:23 78:2 80:21 84:2 171:6  
later [2] 108:23 170:4  
laugh [2] 25:14,15  
laughter [1] 25:19  
lawsuit [17] 4:20 5:7 125:4,9 136:

13,16,20 161:9 179:21 180:2,4 185:21 187:15,23,25 188:6,22 lawyer [3] 5:11 148:18 188:3 lawyers [2] 186:15,16 lead [1] 50:19 learn [7] 37:7,12 77:10,14 102:11,16,19 learned [5] 67:7 77:3,6 102:24 103:24 learning [7] 40:20 41:4,18 42:18 44:21 49:17 60:23 least [1] 100:16 leave [5] 8:13 50:20,21 67:19 141:21 leaving [1] 10:19 lecture [5] 91:8 96:16,18 97:10,20 led [1] 94:8 left [5] 21:25 67:22 80:9 178:16 191:3 letter [64] 13:8 14:11 21:10 27:17 37:5,8 42:5 46:4 52:22 62:10 115:25 116:21,23 117:3 118:14,17 121:13,17,23 122:10 123:17,24 124:3,6,16,23 125:4 142:8,22 143:16,24,25 144:13,18,20 145:8,19,24 146:3,24 147:20 148:8,19,21 151:13,18 152:5,12 153:10 160:25 161:5,10,13,25 162:4,18 166:10,12 173:24,25 174:8,18 185:7,13 letterhead [2] 13:24 20:11 letters [7] 125:20 149:10 164:2 174:3,22,25 182:7 level [1] 7:23 license [1] 191:6 line [5] 100:10 113:9 115:2 145:2 193:7 list [4] 21:2 90:11 107:6 176:10 listed [1] 121:2 listen [5] 23:23 25:9,10 27:24 33:11 listing [1] 90:16 little [1] 31:11 live [2] 5:17 82:17 living [2] 177:7 178:7 located [2] 26:6 179:7 location [2] 70:17,19 log [1] 91:23 logged [5] 89:2,14 90:19 98:16 102:16 logical [1] 158:5 long [5] 6:2 7:24 8:23 9:5,11,17 17:19 24:19 162:12 long-standing [1] 94:13 longer [4] 152:15 165:10 173:2 174:14 look [57] 13:21 20:9 23:2 48:11 55:22 57:17 74:8 81:9 82:18 84:12,15 85:2 86:12,16 87:25 94:21 95:8 99:21,22 105:6,8 113:3 116:17,19 118:10 121:20 128:7 129:17 131:2,3 136:4 143:8 144:16 145:22 149:13 163:14 186:10 looked [2] 26:14 161:7 looking [2] 11:19 172:14 looks [4] 71:24 103:3 129:24 130:5 loss [1] 178:21	lost [3] 178:4,6,23 lot [5] 68:17 91:16,20 180:4 181:12 lots [1] 91:19 low [1] 101:3 lower [1] 37:5 lunch [1] 144:4 luncheon [1] 144:5 <hr/> M m.d [3] 161:22 162:20 181:11 made [6] 46:9 52:23 81:11 122:13 141:23 169:17 mail [1] 20:25 mailbox [1] 13:5 mailed [5] 37:19 38:13,15 57:4 65:3 maintain [3] 22:24 79:17 191:5 maintained [2] 6:7 130:22 makeup [1] 51:25 managed [1] 77:16 manipulated [1] 155:4 many [11] 7:4 16:15,19 30:6,12,13 40:3,5 71:23 72:4 95:4 march [13] 128:6,21 130:5 131:12,15,16,17,19 132:12,21 134:8 158:14,24 mark [18] 13:14 19:25 47:24 57:11 87:19 112:21 115:23 118:4 121:10 123:22 129:9 135:18 140:12 144:10 145:16 150:5 159:13 171:25 marked [42] 13:17,22 20:4,9 29:10 48:2,5,12 49:23 51:7 57:14,18 59:5 63:10 66:5 87:22 93:12,25 99:17,25 112:24 115:25 116:15 118:6 121:13,16 123:24 124:3 129:12,17 135:20,23 140:15,18 144:13,17 145:19,23 150:8,12 159:15 172:4 marker [1] 94:6 marking [2] 59:5 68:11 marriage [1] 194:15 martin [11] 37:14 39:9,10 41:24 42:9 43:4,13,23 44:15 49:15 185:8 marvin [1] 42:15 masters [3] 10:5,9,11 match [1] 105:9 material [1] 127:18 matter [5] 102:25 107:24 125:5,17 186:18 194:16 mclaughlin [56] 2:10 4:7,18 13:14 19:2,25 22:3,22 23:5 38:5 47:23 57:11 76:19,23 87:19 88:4 99:14 105:10 112:21 115:22 118:3 121:10 123:21 127:8 129:3,9 130:13,25 135:17 139:9 140:12 144:3,8 145:16 148:23 149:4,14,18 150:5,20 154:15 159:12 166:4 169:11,24 170:5 171:25 174:16 175:19 177:15 178:19 182:6 189:7,11 191:7 192:4 md [1] 178:23 mean [12] 21:16 57:24 58:25 77:8 111:14 119:18 137:20 162:11 167:5 178:22 183:24 189:4 meaning [1] 124:8 means [5] 88:12,16,17 111:15 180:	19 meant [4] 47:9 88:15 123:13 172:9 medical [22] 5:21 8:9 11:21 15:25 17:6,6,11 20:18 30:5 60:18 73:24 127:21 146:18,19 148:14 151:9 152:4 162:14 179:19,23,24 182:13 medicine [15] 10:22 15:16 16:11 50:8 66:8,15 67:11 69:21 140:19 145:5 160:24 164:14,15 166:7 179:16 meeting [5] 32:9 44:18,20,21 62:6 meisenberg [5] 28:21 29:2,14,19,21 31:4,9 32:10 member [2] 46:15,16 members [1] 180:9 memo [5] 99:17,21,23 102:24 103:4 169:25 memorandum [2] 100:2 155:9 memory [1] 104:17 mend [1] 157:14 mental [3] 17:8 178:24 181:12 mention [1] 115:9 mentioned [5] 102:21 115:15 123:9 143:25 155:13 183:4 mentioning [1] 123:12 merits [1] 157:23 merola [2] 194:6,21 met [2] 4:16 61:9 miami [15] 62:22 69:15 70:17 78:9 80:2 95:23 153:22 155:23 156:8 157:19 170:14 177:3,4 183:12,19 michael [3] 144:19 183:17 185:2 microbiology [2] 52:8 66:9 mid-term [13] 30:8,18 51:11 55:8 59:12,15 60:5 61:2 63:11 101:2,9,11 111:3 mid-terms [1] 55:4 middle [1] 64:20 might [10] 19:7 38:3 53:13 62:21 65:14 81:10,12 82:19 84:2 94:9 mind [2] 14:2 23:9 mini [2] 51:8 52:15 minus [4] 95:15,20 96:2,6 missing [1] 133:15 monday [1] 89:9 monetary [1] 180:13 money [10] 123:5,8,11 126:22 161:17 162:7 176:24 178:6 188:12,14 montague [2] 1:16 2:9 morning [2] 4:14,15 most [2] 5:4 183:6 motion [2] 139:2,8 move [2] 15:17 179:10 ms [58] 4:7 13:14 19:2,25 22:3,22 23:5 25:6 26:24 27:21 38:5 47:23 57:11 76:19,23 87:19 88:4 99:14 105:10 112:21 115:22 118:3 121:10 123:21 127:8 129:3,9 130:13,25 135:17 139:9 140:12 144:3,8 145:16 148:23 149:4,14,18 150:5,20 154:15 159:12 164:23 166:4 169:11,24 170:5 171:25 174:16 175:19 177:15 178:19 182:6 189:7,11 191:7 192:4 much [7] 27:10 38:2 40:9 107:19	161:17 162:6 174:4 multiple [2] 32:3,6 must [5] 9:12 51:13 110:22 111:2 147:22 151:23 myself [1] 173:13 <hr/> N name [22] 4:8,17 26:4,20,20 34:7,9 57:20 60:12,13 78:4 79:13,16 87:4,5,6,7,11,11,12,13,15 names [3] 70:15 87:2 179:5 nancy [2] 83:23 185:25 nassau [1] 179:8 national [3] 73:24 76:9 127:20 nature [1] 181:14 nbme [17] 127:19,20 128:14,22 129:6 157:9,12,20,23 158:9,12,17,22 159:11 164:16,22 185:15 need [5] 5:10 65:8,10 177:17 178:19 needed [1] 181:21 neuro [2] 36:13,20 never [19] 31:23 102:21 103:21 111:9,9,11,21 115:20 126:9 143:24,25 145:15 153:18,20,24,25 167:16 178:13 190:10 new [26] 1:16,17 4:4,13 8:8,15,18 10:15,19 69:3 80:3,5,10 133:18,21 134:4 159:8 167:10,13,13,20 177:2,3 188:19 194:3,7 next [10] 26:15 32:11 51:6 112:22 115:23 135:18 141:17 157:22 172:2 173:6 nice [1] 4:16 nine [4] 141:16 143:5,9 163:23 nobody [4] 23:22 27:24 124:13 177:10 nods [1] 11:7 none [1] 143:3 norm [1] 100:21 northern [1] 179:9 notary [5] 1:17 3:19 4:4 191:15 194:6 noted [1] 191:9 notes [9] 96:16,17 97:9,11 115:4,14,18,20 182:16 nothing [2] 25:20 66:25 notice [1] 62:23 noticed [1] 68:10 notification [1] 78:24 notify [1] 135:12 november [1] 133:13 number [16] 34:14 35:15 50:2 70:14 73:3 85:7 96:12 172:16 176:7,23 177:12,24 179:4 180:13 183:5 187:4 numbers [2] 21:22 177:9 <hr/> O objections [1] 3:13 obligation [1] 161:16 obtaining [4] 161:22 162:19,20 181:16 obviously [1] 188:3 october [10] 151:2 172:19,20 173:8,10 174:5,17,23 175:23 194:18
---	--	---	---

<p>office [31] 24:11 25:7 30:3 42:25 97:25 98:3,8,15 107:2 116:24 119:20 120:2,24 124:8,8 133:23 135:16 136:22 137:14,18,21 141:24 156:10,11 159:8 166:25 167:9,13,20 173:11 182:18</p> <p>offices [1] 1:15</p> <p>official [10] 22:14 23:12 24:20,25 65:13 77:6,8 117:11,14 138:9</p> <p>officially [4] 15:7 152:23,25 161:15</p> <p>officials [1] 182:14</p> <p>often [3] 72:25 75:2 187:21</p> <p>okay [9] 11:10 19:9 160:10,13 165:5 168:19 172:10,22 181:4</p> <p>old [1] 53:21</p> <p>once [4] 75:5 76:3 106:4 152:8</p> <p>one [90] 11:5 15:4 17:4,6,7,11 28:5 33:12 40:14,16 41:3 43:6,8 44:3,11,15 45:3,11 49:16 52:7,7,11 54:18 55:3,4,7,11 56:9,10,14 57:3 58:2,14 59:12 60:4,9,11,25 61:10 62:8 63:18 64:7 70:6,7,11,12,12,20,25 71:3 73:13,16,23,24 74:3,6 76:8 77:17 83:15 87:3 93:3 95:7,24 97:14 105:8 110:12 130:11,17 131:12 132:11 134:13,14 146:6 151:7 154:23 155:3,6 157:7,10,16 161:6 164:24 167:25 168:6 176:19 183:18 184:6 185:12 187:11 188:6</p> <p>ones [2] 49:5 187:22</p> <p>only [21] 5:12 12:23,24 22:12 34:20 49:6 55:17 63:9 64:25 70:21,25 71:21 72:9 81:5 91:12 95:7 103:22,23 130:9 160:2 168:19</p> <p>operate [1] 123:10</p> <p>opinion [1] 162:3</p> <p>opportunity [2] 122:2,6</p> <p>opposition [2] 150:8,13</p> <p>oral [3] 40:22 42:20,22</p> <p>order [10] 1:14 63:3 128:14,18 139:24 151:22 152:20 157:20 159:23 166:20</p> <p>orders [1] 173:13</p> <p>ostracized [2] 180:16 181:9</p> <p>other [81] 11:5 12:12,22 22:5 23:15 27:23,25 33:5,8,16 34:12,16 35:17,19,22 41:10,11 45:10 22 47:22 49:3,4 51:13,20,21,25 54:3 55:19,21 56:13 59:16 61:16 62:11 63:13,15,21 64:6 69:22 70:4,23 78:23 81:3,21,24 83:11,13 86:19,20,22,24 87:18 104:14 105:14 110:2 113:18 120:25 146:14 150:2 153:13 156:17 162:16,23 164:3,3 170:12 171:15,16 172:22 174:21 176:14 177:7 181:6,8 182:23 185:20 186:16,16 188:2,6 189:2 190:7</p> <p>others [1] 111:23</p> <p>otherwise [5] 11:6 52:23 56:4 82:16 149:7</p> <p>out [23] 13:4 21:18 32:13 37:4 47:13,15 56:7,11 59:3 62:21 71:11 78:20 91:13,14,23 101:4 102:12 104:5,16 133:7 137:7 162:13 185:6</p> <p>outcome [1] 194:16</p>	<p>over [4] 17 28:8 31:5 134:22 142:19 186:10</p> <p>overtime [1] 188:14</p> <p>owed [2] 188:12,14</p> <p>own [2] 120:6,16</p> <p style="text-align: center;"><b>P</b></p> <p>p.m. [1] 191:9</p> <p>package [3] 131:18 132:2,3</p> <p>page [35] 22:11 113:25 129:25 130:8,10 136:5 141:7,15 143:5,8 150:25 151:7 157:4,21,23 159:21 160:17 163:16,19,23 164:6 165:14 166:4,6,12 167:6,18 168:13,22,24 170:7,10 190:20 192:3 193:7</p> <p>pages [3] 130:11,17 131:4</p> <p>paid [5] 161:17,19 162:6 177:20 188:13</p> <p>paper [1] 94:25</p> <p>papers [1] 74:8</p> <p>paragraph [9] 115:3 136:23 138:10,25 141:9,14 146:17 151:7 157:4</p> <p>part [17] 16:11 49:17 72:20,21 75:20 81:13 101:15,16 131:18,22 132:2 154:13 164:24,24 169:12 172:17,18</p> <p>particular [4] 19:15 40:14 45:11 187:14</p> <p>parties [2] 3:7 194:14</p> <p>parts [4] 41:10,11 60:23 81:21 82:2,4</p> <p>pass [14] 34:2 35:2 36:20 82:8,15 92:16 107:7,10,22,23,23 128:8 158:25 182:3</p> <p>pass/fail [1] 105:2</p> <p>passed [18] 35:4 74:10 101:16 104:22 106:16,21,24 128:17,22 141:11 154:7,19 164:8,11,16,22 182:2 185:14</p> <p>passing [9] 101:15 104:17 114:21,23 128:11 157:9,16,18,20</p> <p>password [1] 78:8</p> <p>past [2] 119:21 178:12</p> <p>pathology [20] 52:7,9,11 54:18 55:10 56:7,9,10,14 57:3 58:2,13 59:11 60:4,11 61:10 63:18 64:7 66:8 71:3</p> <p>patient [1] 17:11</p> <p>patients [1] 82:17</p> <p>pay [8] 8:15 111:19 126:22 154:4,22 161:19 167:15 168:4</p> <p>paying [1] 177:23</p> <p>payments [1] 123:14</p> <p>pbl [1] 44:20</p> <p>pe [2] 110:16,16</p> <p>penalize [1] 53:11</p> <p>penalized [1] 53:9</p> <p>penalties [1] 52:25</p> <p>pending [1] 5:13</p> <p>penmanship [9] 94:5,9,11,18 102:4,6</p> <p>people [13] 11:8 27:24,25 33:16,18 47:2 55:24 87:18 94:12 97:7,15 106:15 107:6</p> <p>percent [23] 40:17 41:4 43:6,9,22 44:3,11,16 45:3,7 49:16 55:4,7 58:</p>	<p>12 59:11 60:4,9,25 92:18 93:23 107:15,18,25</p> <p>percentage [9] 31:16 40:2,10 41:2 45:3</p> <p>percentage-wise [1] 73:11</p> <p>perez' [2] 124:8 185:25</p> <p>performance [2] 114:19,21</p> <p>period [2] 125:25 143:19</p> <p>permission [2] 158:19,23</p> <p>perri [17] 83:23,25 84:18,22,23 85:20 112:15 113:7,14,21 116:4 121:18 122:25 124:5 125:16 138:16 186:7</p> <p>perri's [1] 169:25</p> <p>person [10] 25:25 28:7,9 29:16 42:24,25 46:22 47:20 80:18 93:12</p> <p>personal [1] 45:16</p> <p>personally [3] 109:7 123:13 184:16</p> <p>pete [1] 70:12</p> <p>pharmacist [5] 5:25 7:23 8:11 112:5 190:16</p> <p>pharmacology [4] 9:9 10:10 52:7 66:7</p> <p>pharmacy [9] 7:3,11,12 8:24 191:5,5</p> <p>phase [2] 167:7 168:5</p> <p>phone [26] 28:8 42:24 80:14,18,19 81:4 83:15 84:5,6 85:10,11,14,15,18,21 94:16,19 99:11 100:17,23 112:11 114:3,6 149:7 182:16 186:3</p> <p>phony [9] 90:11 91:17,19 114:12,14,17</p> <p>physical [3] 105:22 107:21 110:17</p> <p>physiology [2] 36:14,21</p> <p>place [1] 169:22</p> <p>placed [1] 104:3</p> <p>places [1] 120:25</p> <p>plaintiff [2] 1:13 88:7</p> <p>plastic [5] 71:23 72:18,24 75:16,18</p> <p>please [13] 4:8 5:9,11 20:2 81:9 87:20 90:24 129:10 144:11 150:6 182:15,24 183:2</p> <p>plus [9] 18:10,14,17,21 19:21 21:11 23:21 25:23 28:12</p> <p>point [23] 12:4 15:18 16:3 17:22 24:23 39:23,25 47:13 64:14 67:3,6 68:8 90:8 97:24 111:5 125:3,15 132:15 142:2 151:20 153:13 164:21 169:20</p> <p>pointed [1] 170:7</p> <p>points [16] 39:17,20,24 43:5 74:24 96:14,21,22 97:2,8,17,20,21,22 103:14 104:15</p> <p>policies [3] 120:17,20 121:2</p> <p>policy [5] 22:2 120:22,23 146:18 147:13</p> <p>poor [3] 94:5,9,11</p> <p>portion [19] 16:9,20 22:5 31:25 41:18 43:6 44:4,11,16 71:22 72:15 74:20 91:6 93:20 101:4,20,21 102:8,13</p> <p>position [2] 5:23 6:3</p> <p>possible [4] 101:4 102:12 120:10,21</p> <p>post [2] 55:23 120:17</p>	<p>posted [17] 55:18,25 79:10 88:9,23 102:15 119:13,16,18 120:10,14,20,23 122:15,19,19 138:23</p> <p>poster [1] 13:3</p> <p>posting [1] 114:11</p> <p>postings [3] 120:4,7,11</p> <p>practical [3] 71:22 72:21,24</p> <p>practicing [1] 162:15</p> <p>practitioner [1] 179:11</p> <p>pre-register [4] 111:14,15,17,18</p> <p>pre-registered [3] 111:10,11 153:25</p> <p>pre-registration [3] 127:18 154:3,4</p> <p>precedes [1] 158:12</p> <p>prepared [1] 29:10</p> <p>prerequisite [4] 157:10,12,15,18,19 158:9,10,16</p> <p>presented [1] 97:13</p> <p>presumably [2] 51:18 65:18</p> <p>presume [4] 16:23 17:22 64:12 123:3</p> <p>presumed [1] 11:15</p> <p>pretty [2] 38:2 174:4</p> <p>prevent [1] 139:18</p> <p>prevented [1] 157:7</p> <p>previously [1] 115:3</p> <p>print [1] 79:20</p> <p>printout [1] 79:20</p> <p>prior [17] 44:10 49:10 50:10 65:6,9,12 66:23 77:19 78:12 91:23 100:4 136:16 146:10,13 172:24 188:17,19</p> <p>privacy [1] 169:2</p> <p>privy [1] 169:15</p> <p>probably [5] 5:4 24:18 27:11 32:15 161:4</p> <p>probation [1] 10:25</p> <p>problem [1] 41:4</p> <p>problem [15] 18:11 29:20 40:19 41:18 42:18 44:21 46:25 49:17 50:14 60:23 86:11,21 94:13 117:20 163:2</p> <p>problems [4] 179:19,20,23,25</p> <p>procedure [3] 31:9 32:18 163:20</p> <p>procedures [2] 29:22 126:12</p> <p>proceed [2] 117:20 162:4</p> <p>proceeded [1] 29:5</p> <p>proceeding [1] 181:11</p> <p>process [3] 141:23 162:25 166:19</p> <p>produce [3] 182:15,19,24</p> <p>produced [3] 130:10,14,21 175:21 177:8 182:8,11,14</p> <p>production [2] 130:11 182:12</p> <p>profession [1] 178:21</p> <p>professor [14] 26:17,22 27:20 34:4,5,6 40:25 42:17 60:10,14,20 70:6,10 183:11</p> <p>professors [4] 70:8,14 181:5 184:7</p> <p>program [4] 15:25 69:18,19 123:6</p> <p>progress [2] 103:24 122:16</p> <p>progressed [1] 7:22</p> <p>proof [4] 81:24,25 82:3 114:22</p> <p>properly [3] 37:4,9,13</p> <p>provide [5] 105:20 124:15 148:12 175:11 177:13</p>
---	--	---	--



provided [7] 24:18 77:20 124:19  
134:5 161:12 175:5,15  
provision [5] 163:10 164:18 165:  
15 167:23 170:7  
provisions [2] 161:24 168:20  
psychological [1] 181:13  
psychologically [1] 163:25  
public [5] 1:17 3:19 4:4 191:15 194:  
6  
purportedly [1] 171:17  
purposes [2] 53:2 170:2  
pursuant [1] 1:14  
put [5] 10:24 23:5 38:5 105:10 175:  
9

## Q

queens [5] 4:12 125:4 136:2,14  
150:15  
question [12] 3:14 5:3,9,13 16:7 93:  
11 127:7,11 141:5 154:16 160:7  
172:15  
questioning [2] 90:14 91:20  
questions [5] 5:6 97:13,16 160:8  
189:12 191:8  
quiet [4] 53:9,20 62:14 68:18  
quotation [1] 169:3  
quote [1] 165:11

## R

rather [1] 172:23  
re-application [2] 166:20,24  
re-register [1] 126:9  
re-registering [1] 126:7  
reach [1] 85:13  
read [5] 48:13 57:19 127:11 150:17,  
21,23  
reader [1] 95:14  
reading [1] 166:3  
real [1] 158:20  
really [1] 96:7  
reapply [5] 138:17,18,19 142:2,5  
reardon [1] 185:11  
reason [5] 10:18,25 63:9,15 94:10  
reasonable [1] 94:6  
reasons [2] 63:13 167:25  
recall [13] 8:2 12:15,16,21 13:10,  
11,13 14:5,8 15:2,6,23 16:6,17 17:2,  
14 18:6 20:24 25:3 27:18 30:11,13,  
20,23 31:12,19 32:16 33:22,24 35:  
21,25 36:16 38:20 39:22 40:11,12,  
14 41:7,11 45:8,10,11,22 46:3,23  
48:14 49:2,4 52:4 54:8 55:25 56:5  
57:8,9 58:9 59:13 64:9,17,25 67:15  
68:15,15,21 69:12 70:15 71:10 72:  
4,6,14,16 73:3,5,8,12,21 74:6 76:11  
77:25 78:5 79:15 80:20 83:2,13 87:  
7 92:8 93:7 94:8 95:12 96:3 101:7,  
10,24 102:2,7,10,22 103:12,15,16  
105:22 108:8 113:13,20 114:5 115:  
13 116:12 120:19 125:11,18 126:2,  
5 128:5 131:8 136:9,19 137:6,8  
147:19 148:22 149:19 150:4 151:4  
155:18 156:17,23 157:3 171:13,14  
184:24 187:2 188:23  
recalls [1] 139:10  
receive [3] 7:7 9:4,24 19:20 20:20,

23 22:13 24:21 25:4 37:18 55:10,  
13,18 64:21 74:10 76:14 78:24 96:  
2 98:20 104:15 115:17,19 117:23  
124:18 125:21 127:17 128:10 135:  
14 136:21 158:4 174:21  
received [5] 13:8 14:12 17:23 19:  
8 21:23 22:4,15 37:21,25 38:22 39:  
3 41:3 44:3,10,15 56:13 58:5,7,10,  
22 59:22 61:3,12 64:14 65:13 67:3  
68:8 71:13 74:13 76:25 98:19 101:  
8 102:12 103:21,23 104:2 105:13,  
14 115:20 117:11,25 118:17 121:4  
125:22,23 129:6 145:9 147:17 154:  
17 158:6 185:13,17 190:6  
receives [1] 169:7  
receiving [10] 53:15 65:2,6,9 66:23  
101:10 113:13 122:9 161:17 181:  
19  
recently [1] 179:9  
recess [2] 76:21 144:5  
recollection [3] 12:2 64:19 114:7  
recommendation [1] 132:12  
record [19] 4:9,25 19:4 23:6 38:6  
76:20,24 100:2 105:11 129:21 130:  
14,19 144:9 169:12,19 177:16 189:  
8,10 194:11  
records [7] 49:6 105:11,19 159:7  
165:4 169:5 178:2  
recovery [1] 176:11  
redid [1] 107:3  
reduce [1] 53:13  
refer [2] 21:6 177:12  
reference [1] 22:12  
referred [5] 17:5 26:25 112:15 127:  
10 141:4  
referring [20] 48:24 91:4,15 95:21,  
22 103:6,8,17 120:8,12 122:17 141:  
14,15 143:6,13 151:21 154:13 166:  
12 170:20 186:9  
refers [3] 38:12 52:19 114:3  
reflect [2] 98:23 114:18  
reflected [5] 23:16 41:19,22 43:9  
106:19 118:20  
reflecting [3] 18:20 19:21 149:10  
refused [2] 43:5 55:6  
regard [1] 155:21  
regarding [5] 52:20 86:8 88:8 121:  
19 183:9  
regardless [1] 86:18  
register [5] 126:10,11,18,21 153:12  
167:20  
registered [5] 111:20 136:25 141:  
17 151:15,24,24,25 167:8  
registrar [2] 116:24 181:24  
registrar's [13] 97:25 98:3,8,15  
119:19 120:2,14,24 135:16 136:22  
137:13,18,21  
registration [5] 111:20,21 126:12  
167:12,14  
regret [1] 145:3  
regular [5] 52:2 66:19 161:18  
regularly [1] 20:20  
regulation [3] 120:8 140:7 152:19  
regulations [5] 120:6 132:18 140:  
21 141:3 160:25 163:17

rejected [2] 133:8,9  
relate [1] 188:11  
related [5] 21:19 73:18 179:21,25  
194:13  
relates [1] 180:11  
release [12] 124:15,19 142:9 149:  
21,23 161:22 165:9,20 172:18,23  
173:5 181:17  
released [3] 117:15 165:8 173:6  
releasing [1] 146:5  
relied [1] 182:20  
relocation [1] 177:6  
rely [2] 182:6,9  
remain [2] 141:16 151:23  
remainder [2] 130:19 141:19  
remained [1] 53:24  
remaining [1] 5:6  
remediate [1] 92:11  
remediated [1] 92:3  
remember [3] 12:9 26:4,5,19,20  
27:10 34:7,9 37:20 40:3,5 56:22 59:  
14 60:13 64:4 66:25 71:15 87:14  
92:3 93:16 95:6 101:21 103:9,13  
105:7 112:3 163:10 171:19 175:18  
184:20,22  
reminder [1] 86:10  
removed [1] 19:18  
rendin [1] 185:2  
rendon [1] 144:19  
repeat [13] 5:9 32:12,14,16,19,25  
64:5 108:6,9,11,15 127:6,8  
replied [1] 86:14  
report [5] 23:17 52:25 120:18 146:5  
156:21  
reported [1] 70:9  
reporter [2] 4:25 13:19 20:7 48:4  
57:16 87:24 99:19 113:2 116:3 118:  
8 121:15 124:2 127:12 129:15 135:  
22 140:17 144:15 145:21 150:11  
159:18 172:7  
reporting [2] 69:16 156:23  
represent [1] 4:19  
representing [1] 177:21  
request [3] 14:22,25 15:5 19:4 23:  
6 38:6,18 65:5,8,10,11,12 89:9,10,  
12 105:11 115:6,11 117:3 123:14  
141:12,21 148:24 149:15 166:13,21  
169:6,7 175:20 177:15 182:12  
requested [5] 19:3 115:3 123:5  
124:16 177:10  
requesting [1] 122:9  
requests [2] 122:11 149:17  
require [1] 166:15  
required [5] 16:12,16 61:6 108:11,  
15,20 128:14 147:14 166:20  
requirement [2] 145:12 151:16  
requirements [3] 61:9 119:12 182:  
5  
requires [2] 119:24 146:18  
reserved [1] 3:14  
reside [1] 4:11  
resolving [1] 169:25  
respect [1] 163:18  
respected [1] 163:19  
respective [1] 3:7

respond [5] 82:20,20 84:14 138:12  
156:20  
responded [1] 82:21  
responding [3] 123:2,2 148:20  
response [5] 26:13 28:13 49:20 61:  
4 80:15,17 118:17 156:19 182:10  
responses [2] 172:15 182:21  
rest [2] 109:9,10  
restarted [1] 178:11  
results [1] 51:8  
retake [19] 33:25 62:3 106:15,22  
107:3,7 108:20 109:17 110:5 111:6  
126:15 140:8 141:13,22 142:5 165:  
18,23 166:14 181:21  
retaking [1] 107:5  
retook [2] 92:14 107:9  
return [18] 68:22 122:2,6,11,23 123:  
5,7,14 153:13,16,21,22,24,25 154:2,  
24 168:15,17  
returned [4] 19:10 69:13 153:18,20  
reviere [5] 42:15,16,23 44:5 45:12  
review [3] 31:21 57:23 169:4  
reviewed [4] 14:4 88:10 124:7 140:  
22  
reviewing [1] 14:2  
revised [1] 93:19  
reyes [2] 169:10,15  
rid [1] 53:22  
rights [1] 169:2  
rock [1] 45:18  
ronnie [1] 183:6  
rosemarie [1] 185:11  
ross [5] 4:19 8:7 10:21 11:15,19,  
22 12:5,13,18,23,24,25 13:24 14:12,  
14 15:11,15 20:10,18 21:25 24:21  
27:16 29:6 32:19 35:23 46:19 47:7,  
10 50:7 51:15 69:10 77:20 83:19  
84:18 111:16 113:19 116:24 118:  
15 119:25 120:5,16,19 122:8,22  
125:25 135:25 139:24 140:19 142:  
15,19,22 144:19 145:5,14 150:14  
151:17 153:2 154:3 157:8 160:19,  
23,25 161:2,9 165:15,19 166:6 167:  
22,24 168:21 169:8 170:23 171:17  
178:5,10,13 180:17,23 181:24 182:  
13,21 185:12 188:18 190:7 191:3  
rotate [1] 46:21  
rotation [3] 122:3,7,12  
rule [1] 11:5  
rules [3] 4:24 140:20 163:17  
runs [2] 17:20 64:3  
rusm [2] 151:23 152:10

## S

salary [1] 178:12  
same [14] 3:9,19 5:2 23:16 34:5,6  
46:22 58:17 70:24 86:9 87:18 113:  
25 159:21 175:15  
sat [5] 135:5 142:10 143:22 145:9  
147:8  
satisfactory [1] 110:13  
saturday [1] 90:6  
saw [13] 13:2 39:4 48:17 58:21 79:  
10,16,16,18,22 93:23 98:17 100:7  
102:24

<p>saying [16] 11:7 42:4 47:12 85:22 87:18 102:22 120:13 131:9 152:13 153:5 167:22 169:22 172:23,24,25 174:14</p> <p>says [44] 21:11 22:10 58:11,19 83:4 86:18 88:13 22 90:24 91:12 92:18 94:21 95:8,14 97:12 100:10 107:2 113:10 115:3 123:4 136:24,24 137:9 138:10,25 140:7 141:9,16,20 143:10 145:2 146:17 147:20 151:8 152:8,15 157:5 163:16 166:12 167:7 169:25 170:10 176:2 177:6</p> <p>scan [3] 72:9,10,11</p> <p>scheduled [3] 143:12 158:21 163:24</p> <p>school [44] 8:23 10:22 14:19,23 15:15,25 20:18 30:5 46:5 50:8 56:23 60:18 62:10 106:24 121:25 123:12 124:20,23 125:8,15 132:18 134:19 137:2 138:11,14 139:4,6 140:19 142:8 145:5 146:19,20 148:14 152:5,20,24 153:4,7 160:23 161:15 162:14 166:7 178:17 189:24</p> <p>school's [3] 70:17,19 106:18</p> <p>schooling [1] 176:21</p> <p>schools [4] 10:23 11:12 12:23 190:7</p> <p>science [20] 10:7,9 16:2,5,8,20 36:6,13,21 52:13 63:25 66:2 67:17 69:23 143:10 157:17 164:9,12,16 168:5</p> <p>sciences [1] 167:9</p> <p>score [43] 30:24 40:15,16,18,19 41:2,17 44:7 45:13 61:16 62:7 63:11 83:19 101:3,12 103:21 106:9,11 107:11,13,16 128:11 129:6 142:9 146:5 149:21,24 157:24 161:23 162:13,20 165:13,20 167:3,4,5,6 172:18,23 173:5 176:3 181:18,19</p> <p>scored [3] 20:17 43:22 49:17 55:3,7 60:4,9 105:3 107:12</p> <p>scores [25] 21:17 22:7 30:25 31:6,21 40:13 41:8,13,15,17 60:14,17 103:13,16,19 104:7,10,20,25 105:4,9,12,14,19 118:20</p> <p>scoring [1] 59:11</p> <p>sealing [1] 3:8</p> <p>second [18] 24:15 25:13 38:16 48:8 63:23 94:21 95:8 107:16 131:21 132:25 133:3,6 134:14 136:5 141:12 146:17 157:18 160:15</p> <p>secretary [2] 85:17 185:25</p> <p>see [25] 19:21 53:15 57:5 58:10 79:9 88:11 89:19 90:12,18,25 104:5 115:10,16 117:10,19,21 119:10 120:4 124:11 144:23 145:6 146:23 148:19 179:17,22</p> <p>seeing [5] 14:5,8 44:15 48:14 55:25</p> <p>seeking [2] 176:11 180:7</p> <p>seemed [1] 31:11</p> <p>seems [5] 29:20 100:18 114:11 162:7 169:13</p> <p>seen [3] 20:12 88:18 100:3 140:25 144:20 165:13 169:8 179:2,4</p>	<p>seena [4] 131:24 165:9 172:25 174:13</p> <p>seena's [1] 165:12</p> <p>segment [4] 16:9 36:6 42:18 143:10</p> <p>segments [1] 16:20</p> <p>semester [64] 16:16,25 17:17,19 18:4,8 19:23 20:17 21:4 24:15 33:9 34:10,13,14 35:7,14 36:3,15 38:12 51:18,24,25 52:3,16 63:17,22,23,25 64:3,4,8,10,18,22,22 65:21,23,23,25 66:4,22 67:4,19 68:23,24,25 70:20 75:24 100:13 103:19,22 108:16 109:13 122:4,7,13,24 126:15,25 127:13,16 128:5 163:2 168:16</p> <p>semesters [4] 16:19 35:11,20,24</p> <p>sena [1] 131:17</p> <p>send [5] 89:12 111:17 125:19 126:22 154:5</p> <p>senior [2] 7:23 8:11</p> <p>sense [1] 100:14</p> <p>sent [16] 13:4 24:23 47:21 86:9 123:17 126:24 127:3 133:19,22 142:8 155:4 172:25 174:13 175:17 181:24 185:6</p> <p>sentence [1] 141:20</p> <p>sentences [1] 121:24</p> <p>separate [3] 75:15,23 93:2</p> <p>september [3] 1:9 24:14 33:3 64:24 65:19 111:25</p> <p>series [1] 5:5</p> <p>serve [1] 53:2</p> <p>session [1] 144:7</p> <p>sessions [1] 110:23</p> <p>set [4] 4:24 176:8 194:10,17</p> <p>settled [1] 188:13</p> <p>settlement [2] 169:14,23</p> <p>seven [5] 129:25,25 130:8,8,10</p> <p>seventeen [3] 141:18 163:24 164:4</p> <p>seventeen-week [2] 143:12,18</p> <p>several [7] 70:8 73:2 118:14 119:6,8,14 170:12</p> <p>shall [2] 3:9,14</p> <p>she's [1] 87:9</p> <p>sheets [2] 29:11 30:2</p> <p>short [2] 35:12 76:21</p> <p>shortly [4] 65:17 128:12,21 144:25</p> <p>show [11] 66:5 91:19 112:19 121:16 135:23 139:2 150:12 167:24 168:3,6,9</p> <p>showed [4] 25:12,13 44:8 171:22</p> <p>showing [5] 44:10 45:12 88:4 99:24 116:14</p> <p>shown [1] 23:12</p> <p>shows [2] 88:22 163:20</p> <p>sign [2] 77:16 91:19</p> <p>signature [3] 116:20 131:9 136:6,7,8 151:2</p> <p>signed [7] 3:19,20 131:15,16,22,23 151:5</p> <p>signing [2] 136:9 151:4</p> <p>similar [1] 70:4</p> <p>simply [1] 167:15</p> <p>since [3] 6:8 66:5 119:7 149:8 165:</p>	<p>13 175:23 177:23 191:3</p> <p>sit [5] 96:21 128:15,18 132:14 142:25</p> <p>site [20] 77:19,23 78:5,20 79:7,9,18,19 88:25 89:14 90:19 91:17,24 98:17 102:16 104:3 114:13 122:19 138:8,24</p> <p>sites [1] 77:17</p> <p>sitting [4] 100:4 136:17 139:19 146:14</p> <p>six [4] 130:12,17 138:10 163:20</p> <p>sixth [3] 68:23,23 122:3,7,12,24</p> <p>sixty [2] 21:15 22:5 58:12</p> <p>skp [1] 6:10</p> <p>small [2] 40:24 110:23</p> <p>soap [9] 96:15,17,20,20 97:12 103:5 115:4,14,20</p> <p>society [2] 17:12 34:19</p> <p>solely [2] 32:6 176:13</p> <p>somebody [4] 32:15 85:15 107:2 148:20</p> <p>somehow [1] 79:19</p> <p>someone [4] 56:15,16 109:19 145:25</p> <p>sometime [7] 8:3,4 9:22 13:12 64:23 68:4 171:6</p> <p>sometimes [3] 30:10 93:8 94:24 95:23 102:5</p> <p>somewhere [2] 15:21 38:3</p> <p>soon [3] 84:3 120:10,20</p> <p>sorry [14] 17:23 24:10 29:4 38:9 51:21 56:10,19 63:24 68:7 80:6 109:5 114:2 127:15 155:6</p> <p>sort [3] 22:7 39:25 62:9</p> <p>sought [1] 176:8</p> <p>sounds [1] 21:24</p> <p>speaking [4] 4:25 29:19 84:3 123:20</p> <p>special [2] 158:19,23</p> <p>specialist [2] 179:12,13</p> <p>specific [3] 92:8 154:13 155:23</p> <p>specifically [13] 13:11 27:12 30:14 73:8 144:19 145:25 151:14 163:11 166:8 168:14 175:16 186:9,24</p> <p>spell [1] 24:5</p> <p>spelled [1] 24:6</p> <p>spend [1] 7:4</p> <p>spent [2] 112:4 176:24</p> <p>spoke [16] 25:25 27:16,19 32:15 37:14 47:20 50:3 81:5 84:18 86:19 100:16 123:16 124:22 125:15 171:16 183:14</p> <p>spoken [2] 184:15 187:9</p> <p>sponsor [3] 165:15,25 166:16</p> <p>sponsored [3] 139:23 140:4 141:12,22 142:11,13,15 166:13,17</p> <p>sponsors [1] 165:22</p> <p>sponsorship [3] 137:3,5 138:2 142:20,23 144:2</p> <p>spring [3] 11:25 12:3 13:12 128:2,3</p> <p>st [3] 6:24 7:5 10:13</p> <p>staff [4] 180:25 181:2,3 185:12</p> <p>stand [2] 104:16 189:5</p> <p>standards [1] 100:20</p> <p>stands [1] 97:6</p>	<p>start [10] 14:23 15:5,7 16:24 35:14 36:2 126:8 131:8 161:5 168:6</p> <p>started [3] 6:5 17:16 29:19 51:17 65:18 71:7</p> <p>starting [3] 14:15,19 17:17 36:15 89:9 110:2,5 111:24</p> <p>starts [2] 82:8,11</p> <p>state [9] 1:17 4:4,8 49:24 130:13 142:22 172:18 194:3,7</p> <p>stated [7] 27:12 109:22 132:17 157:20 165:17 167:24 180:6</p> <p>statement [11] 93:15 95:18 108:25 128:13 129:20 151:12 157:11 167:19 169:16 172:25 174:14</p> <p>states [13] 1:2 6:13,17 67:20 121:24 151:14 152:19 164:6 166:8,8 168:14,23,24</p> <p>stating [4] 22:16 165:10 174:9 185:13</p> <p>status [1] 126:4</p> <p>stay [5] 53:9,20 62:14 68:18 97:8</p> <p>staying [1] 96:15</p> <p>step [29] 82:9,16 129:2,3,4,7 131:5 132:4 134:24 136:25 137:24 139:19,24 142:6 146:6 147:7 148:13 157:7,10,13,25 159:2,11 161:3 164:7,11 165:5,7 185:15</p> <p>still [10] 7:17 36:5 80:3 86:10 112:13 113:10 136:21 160:3 170:15 176:3</p> <p>stimulating [1] 85:21</p> <p>stipulated [3] 3:5,12,17</p> <p>stonybrook [2] 5:21 190:13</p> <p>stopping [1] 122:16</p> <p>strange [1] 98:5</p> <p>street [3] 1:16 2:9 4:12</p> <p>stress [3] 180:3,4 181:13</p> <p>strike [1] 169:12</p> <p>student [26] 6:20 15:20,22 44:25 46:11,12,14,17,24 47:5,10 53:21 95:15 117:4,6,9 141:20 146:19 148:14 151:9,15,16,22 152:8,14 161:14</p> <p>student's [3] 52:21 157:8 169:5</p> <p>students [22] 44:22,24 45:19 86:19,20,22 140:20 141:10,16 143:3 164:4,7,10 165:15,17 166:7,13 167:7,19 168:14 180:24 184:4</p> <p>students' [1] 120:9</p> <p>studied [2] 6:21 161:20</p> <p>studies [2] 47:7 170:13</p> <p>study [1] 6:23</p> <p>studying [1] 6:25</p> <p>stuff [1] 82:17</p> <p>subjective [1] 95:13</p> <p>submit [2] 12:5 119:25</p> <p>submitted [1] 132:11</p> <p>submitting [1] 13:6</p> <p>subsequent [1] 124:7</p> <p>substively [2] 186:5 187:5</p> <p>subway [1] 177:5</p> <p>succeed [1] 50:3</p> <p>successful [1] 51:2</p> <p>successfully [1] 164:13</p> <p>sudden [1] 63:4</p> <p>suffered [1] 162:12</p>
---	--	---	--

suffering [1] 179:24  
 suggest [1] 160:19  
 summer [1] 51:21,22 52:5 54:12  
 64:11 109:2,4,6,8,20  
 supplied [1] 19:6  
 supplies [1] 177:2  
 supply [1] 178:3  
 support [1] 136:4  
 supporting [2] 177:9 178:20  
 supports [1] 177:17  
 supposed [5] 33:19 39:19 55:5  
 168:9 173:5  
 supreme [5] 100:9 102:25 125:5,  
 17 136:2,14 150:15 155:5  
 suspect [2] 13:12 91:10  
 suspended [2] 11:3 190:2  
 suspicious [1] 104:4  
 sworn [3] 3:20 4:3 194:10  
 system [2] 39:24,25

## T

table [1] 40:24  
 talked [2] 27:21 78:22 89:2 99:12  
 163:5 187:12  
 talks [2] 51:7 58:13  
 taught [1] 183:19  
 teaching [1] 5:25  
 telephone [2] 100:11 101:6  
 tells [1] 86:20  
 ten [7] 75:7 96:14,22,25 97:8 172:  
 16,17  
 test [1] 22:7 71:20,21 73:17 106:19,  
 25 137:10,13,16 138:2 149:8  
 testified [2] 4:5 188:24  
 testify [2] 189:4,21  
 testimony [2] 194:9,12  
 tests [2] 40:2,3,6,22 93:4 104:7  
 rhetorical [1] 16:10  
 theory [2] 16:13 36:8  
 thereafter [2] 128:22 144:25  
 therefore [1] 130:10  
 third [2] 36:3 157:19  
 thirteen [2] 164:6 176:7  
 thirty [1] 157:21  
 thomas [1] 184:5  
 though [4] 104:6 142:11 165:16,18  
 three [5] 35:15 56:14 64:3 75:8 110:  
 9 121:23 151:7 157:4  
 throughout [1] 46:22  
 title [3] 5:24 7:20,22  
 today [2] 14:6 22:21 48:15 100:4,11  
 142:3 188:3 189:20  
 tony [4] 170:22,24 171:11 187:9  
 took [3] 16:24 17:3,23,23 18:14 19:  
 16 21:4 30:5 34:18 40:4 61:6 63:18  
 66:7 74:9 75:23 81:15 86:24 97:11  
 99:22 101:16 106:10 116:19 127:  
 23 129:5 134:24 147:9 148:12 149:  
 8 151:9 153:3 158:13 165:7 169:22  
 191:4  
 top [1] 160:18  
 touch [1] 187:19  
 toward [1] 45:4  
 toxicology [2] 9:9 10:10  
 transcript [7] 12:11 18:19,24 19:5,

19,21 20:4,16,19,24 21:2 22:14,16,  
 19,25 23:12 24:17,20,20,24,25 25:5,  
 12,13 26:14,15 29:11 30:2 37:19,21,  
 25 38:11 39:3 55:13,17,20 57:4,14,  
 22 58:4,6,22 64:15 65:3,6,9,13 67:4  
 68:8 71:13 77:2,9 98:19,20,22 117:  
 4,9,12,14 118:6,13,16,19 119:20  
 120:2,18 121:5 122:10,20 125:22  
 137:22 182:10 194:11  
 transition [1] 148:5  
 transportation [1] 177:4  
 traumatized [2] 163:25 164:2  
 treated [5] 161:21 162:10,17 180:  
 20 181:6  
 tremendous [1] 153:10  
 trial [2] 1:12 3:15  
 tried [2] 23:22 24:2 27:23 28:2 49:  
 25 51:5 85:7,11 91:18  
 tron [1] 72:11  
 trons [2] 72:9,10  
 troy [1] 184:12  
 true [2] 157:11 194:11  
 try [2] 23:24 45:17 49:21 80:12 85:9  
 trying [2] 26:19 53:8  
 tuition [1] 112:9 123:14 156:6 161:  
 20 176:25  
 turn [1] 167:11  
 turned [3] 37:4 165:9,19  
 twelve-week [1] 143:11  
 twenty-five [3] 168:23,24 170:8  
 twenty-three [1] 168:13  
 twice [1] 166:22  
 two [3] 9:8 24:22 30:15,16 34:14,  
 20 35:13,20,24 47:24 48:2,6,11,13  
 51:8 52:15 66:7,9,9 69:7 73:25 100:  
 20 103:4 112:5 119:16 120:3 129:  
 10,12 132:6,10 134:7 161:2  
 typically [1] 30:6

## U

u.s [1] 168:25  
 ultimately [1] 181:12  
 unaware [1] 169:21  
 unconscionable [1] 92:19  
 under [4] 28:24 95:13 143:9 189:19  
 undergraduate [2] 7:8 10:12  
 underneath [1] 22:10  
 understand [7] 5:8,14 53:6 57:24  
 60:6 98:11 160:11  
 understanding [3] 118:25 167:18  
 181:20  
 unfair [1] 161:23  
 united [4] 1:2 6:13,16 67:20  
 university [5] 4:19 5:7,21 6:24 7:  
 5 8:7,23 9:5,11,17,19,21 10:13,21  
 11:16,19 13:24 15:11,15 20:10,18  
 29:6 33:7 35:23 50:7 69:10 84:19  
 116:25 119:25 122:8 135:25 139:  
 25 140:19 142:16,25 145:14 147:4,  
 6,10,14 150:14 153:2 160:23,25  
 161:9,16,16 166:7,25 168:23,24  
 169:6 171:17 180:17 182:13,21  
 188:18 190:8 191:3  
 university's [1] 141:24  
 unofficial [2] 22:11 23:16 24:17,19,

24 38:10 138:24  
 unofficially [2] 77:11,13  
 until [2] 10:16 98:14,21 103:22  
 104:10 110:12 148:2 167:2 173:12  
 175:3,9 181:23  
 up [2] 21:21 23:9 24:25 38:6 55:16  
 74:8 79:6 88:21 91:20 93:8 95:23  
 96:13 97:9,12 105:8 124:6 128:7  
 155:19 167:25 168:3,6,7,9 177:16  
 182:25 183:3  
 upcoming [3] 122:3,7,24  
 upgraded [1] 90:25  
 upward [1] 52:21  
 useful [1] 50:18  
 usmal [2] 82:9,16  
 usmle [7] 128:15,19,25 129:2,4,7,  
 12,24 130:2 131:5,19 132:4,14,22  
 133:23 134:24 136:17,25 137:24  
 138:12 139:19,24 141:11,13,22 142:  
 5,9,25 143:23 144:2 145:9,13 146:5,  
 18 147:7,13 148:13 152:6,11 157:7,  
 13,24 159:2,10 161:3 162:13 164:7,  
 11,24 165:5,7,10,12,16,18,20,23  
 166:14 167:5,6 172:21 173:10,16,  
 21 174:10,22 182:4,5,18 185:15

## V

vacation [2] 109:2,4,6,8,15,20  
 various [1] 33:6  
 verify [1] 133:10  
 versus [2] 135:25 150:14  
 via [1] 77:23  
 viable [1] 160:3  
 view [1] 78:12  
 village [1] 4:13  
 visit [1] 75:12  
 visitation [3] 74:23 75:3,11  
 visiting [1] 70:14  
 vivian [1] 70:13  
 voice [2] 85:16,21

## W

wages [1] 178:4  
 wait [4] 97:24 98:2,7 175:3  
 waiting [7] 112:13 113:10 119:7,8  
 138:19 162:13 176:2  
 waived [1] 3:10  
 walk [1] 75:13  
 walking [2] 29:5 97:15  
 wall [2] 55:22 56:2  
 wanted [7] 115:15 117:9,19 119:10  
 133:10 155:22 160:11  
 wants [1] 111:16  
 warned [2] 62:13 68:17  
 warranted [1] 114:21  
 watch [2] 75:12 189:3  
 way [1] 33:13 52:24 55:17,19 56:3  
 58:13 64:25 98:4,5,9 115:18 161:  
 21 162:10 194:15  
 ways [1] 162:16  
 web [1] 77:17,19,23 78:4 79:7,8,18,  
 19 88:25 89:14 90:19 91:17,24 98:  
 17 104:3 114:13 122:19 138:8  
 week [2] 24:22 35:13 69:5,6,7 163:  
 24 164:4 168:6  
 weeks [10] 24:22 35:13 110:9 115:4  
 119:6,9,14,17 120:3 141:18  
 whatever [4] 111:15 173:15 175:20  
 180:6  
 whereof [1] 194:17  
 whereupon [2] 13:16 20:3 47:25  
 57:13 76:21 87:21 99:16 112:23  
 115:24 118:5 121:12 123:23 127:  
 10 129:11 135:19 140:14 144:5,12  
 145:18 150:7 159:14 172:3 189:9  
 whether [2] 22:6 90:15  
 white [4] 50:2,5,16 51:3  
 whole [1] 180:23  
 will [4] 5:4 13:14 17:10 23:2,5,6 38:  
 5 49:21 52:22,25 53:2 57:22 66:5  
 84:15 85:2,19 86:16 89:8 91:19 93:  
 9 98:14 100:3 105:20 113:11 120:9,  
 20 129:9 130:20,25 137:3,5,9,15,23  
 145:16 149:16,18 160:12 177:13,16  
 178:2,19 182:25  
 william [2] 145:25 184:14  
 wish [2] 138:10,14  
 withdraw [4] 137:3,5 142:19,23  
 withdrawal [7] 139:15,17 142:22  
 143:17 148:8 164:2 185:7  
 withdrawing [2] 137:25 168:2  
 withdrawn [1] 11:11 139:3,5,11,  
 12 140:8 141:10,21 143:22 145:4  
 152:9,17 153:9 165:11,16,19 168:  
 15 173:2 174:15  
 withdrew [1] 144:2  
 withheld [1] 55:5  
 within [3] 3:8,18 24:22 119:16 120:  
 3 168:6 169:5 194:7,11  
 without [1] 163:24  
 witness [2] 4:3 88:5 99:24 189:4  
 192:3 194:17  
 witness(es) [2] 194:9,12  
 word [1] 42:5  
 words [1] 55:21  
 work [7] 63:7 72:17 126:20 153:21  
 168:18 178:11 186:11  
 worked [2] 10:15 72:24  
 working [2] 6:19 75:15,18 178:7  
 190:13,14  
 works [2] 25:2 30:5  
 worth [2] 40:10 74:24  
 write [2] 89:20 95:2,23 97:9 102:5  
 148:11,15,17 174:6  
 write-up [7] 94:22,23 95:9,11 103:5  
 110:12 115:4  
 write-ups [7] 95:4 103:4,10,12,14  
 104:8,14  
 writing [2] 14:25 23:7 38:7 97:18  
 101:21 102:2 149:17 183:3  
 written [2] 27:14 31:25 32:3 42:21  
 72:7 101:23,24 102:8 124:11  
 wrongfully [1] 139:3  
 wrongly [2] 121:25 151:8  
 wrote [4] 97:12 103:12 118:14 174:  
 8

## Y

year [3] 8:5 9:23 104:6  
 years [7] 4:17 6:4 7:4,6 9:10,20 112:  
 5

york [21] 1:16,17 4:4,13 8:8,15,19 9:  
18,20,25 10:15,19 69:3 80:4,5,10  
177:2,3 188:19 194:3,7